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January Term. 1893

Saturday January 28.

Court met in the Court House City of Phoenix at the hour of Ten O'clock A.M.

Present; His Honor. C. Henry C. Gooding Chief Justice
" " Joseph H. Kibbey Associate Justice
" " Richard E. Sloan " "
" " E. H. Wells " "

U. S. Marshall by J. Mullen Deputy
T. D. Hammond Clerk

75 Henry Blevins
Appellant

Territory of Arizona
Appellee

Opinion by Gooding C.J.

The above cause coming on for hearing on the 27th day of January 1893. was duly and fully argued by the attorneys of the respective parties hereto, and submitted to the Court for it Consideration and decision.

The Court having duly Considered said Cause & being well advised in the premises, and not deeming it necessary to enter into a recapitulation of the proceedings had upon the trial of said cause in said Court, but finds error in the said decision of said Court in the admission of evidence by the Appellant. It is therefore ordered and decreed that the Court of the Judgment rendered in the Court below be reversed, and the cause remanded for a new trial.

1/28/93

360 Arizona Cattle Company Appellant

vs

Emile Huber. Otto Huber and Louis B. Schuler. as Executors of the Estate of Otto Huber. deceased Appellees

Opinion by Hoyt J.

The above cause coming on to be heard at this January term 1893 of this court - and being fully and finally submitted on Briefs filed by the Attorneys of the respective parties herein. Said cause having been duly and fully considered by the court; It is now considered adjudged and decreed that the judgment rendered in this cause in the Court below be affirmed: and further that the appellee herein do have and recover of and from the said appellant and his sureties on the appeal bond herein his costs by him expended in and about the proceedings had in said cause in the Court below taxed at $ 11.50

and that the Court do issue its Mandate according to law and in accordance herewith.

350 James. Reilly + Appellant

- vs -

T. H. Atchinson - Appellee

Opinion by Wells J.

The above cause coming on to be heard at this January term 1893 of this Court, and being duly presented and finally submitted to the Court for consideration and decision by the Attorneys of the respective parties thereto;

Now therefore said cause having been duly and fully considered, the Court being well advised in the premises, this cause adjudged and decreed that the judgment rendered in the Court below in said cause be affirmed. And it is further ordered that the said Appellee do have and recover of the said appellant and his sureties on the appeal bond herein his costs expended in this Court taxed at $.

and that the Clerk of this Court do issue the Mandate according to law + this decree.

1/28/93

76 County of Cochise
Appellant
vs
Phil Hefley and Thomas Jones
Appellees

Opinion by Kibbey J.

The above cause - appealed from a judgment rendered in the District Court of the Third Judicial District and the County of Cochise to this Court came on regularly to be heard on the Eleventh day of January 1893, and being fully argued by the attorneys for the respective parties hereto whereupon fully and finally submitted to the Court for its consideration and decision, and the said cause having been duly and fully considered by the Court: It is by the Court ordered adjudged and decreed that the said judgment rendered in the Court below be and the same is hereby affirmed.

347 Emma J. Gonzalez, Appellant
- vs -
E. V. French and J. E. Jones
as Trustees for the inhabitants of Flagstaff
Arizona Appellees

Opinion by Sloan J.

The above entitled cause appealed to this Court from a judgment rendered in the District Court of the 4th Judicial District in the County of Cochise coming on in its order to be heard by this Court, on the 13th day of this present month - being a regular term day of the January 1893 term thereof and being fully and finally submitted on briefs filed by the attorneys of the respective parties herein, and the said cause having been duly and finally considered by this Court; It is therefore by the Court ordered adjudged and decreed that the judgment rendered in the Court below in said cause be affirmed, And it is further ordered that the said Appellee do have and recover from the Appellant, and the sureties on the Appeal bond in said cause. his costs expended in this Court taxed at $14.60

357 The City of Tombstone } Appellant.
vs
James Reilly } Appellee

Opinion by Wells J.

The above cause having been fully and finally submitted to this Court for its consideration and decision, and the Court having fully considered said cause and being well advised in the premises; It is by this Court ordered, and adjudged that the judgment rendered in said cause in the Court below, to wit; the District Court of the First Judicial District and County of Cochise be, and the same is hereby affirmed, and it is further ordered that the Appellee do have and recover of the Appellant his costs in this Court expended taxed at -

336 Frank M. Main } Appellant.
vs
J. Owen } Appellee

This above cause brought into this Court on writ of error to District Court of Pima County, this Court having had said cause under consideration finds no error disclosed by the records therein. It is by the Court ordered and adjudged that writ be denied.

The writ is denied -

1/28/93

348 George Bravin
Appellant
- vs -
The Mayor & Common Council
of the City of Tombstone & Frank
Ryan Chief of Police Appellee

This cause coming on for hearing on the 13th day of this present month was argued to the Court by the Attorneys for the respective parties herein, and being fully argued and presented was duly and finally submitted to the Court for its Consideration and decision. The Court having had said cause under consideration and being fully advised in the premises now renders its decision, ordering and adjudging that the judgment rendered in the Court below from which an appeal was taken to this Court be affirmed so far as said judgment refers or relates to the Common Council of the City of Tombstone and that said judgment be reversed so far as the same refers or relates to Frank Ryan Chief of Police and the cause is remanded for further proceedings in accordance with this opinion.

Opinion by Kibbey J

Gooding C.J. ~~dissenting~~.

65 Lyman Follett & Ed. Follett
Appellant.
vs
Territory of Arizona
Appellee

Opinion by Gooding C.J.

This cause - an appeal to this Court from a judgment rendered in the District Court of the second Judicial District County of Graham - having been submitted on briefs filed by the Attorneys of the respective parties - and having been duly and fully considered by the Court: It is now by the Court ordered adjudged and decreed that the said judgment rendered in the Court below be reversed, and the cause remanded to said Court for a new trial.

1/28/93

312 Kansas City Mining & Milling Co
Appellant
vs
James. W. Clay
Appellee.

This cause coming to be heard on a motion for a re-hearing filed herein on the 9th day of February - 1892. It is now by the court that the said motion for a re-hearing be denied and overruled.

In the matter of the Application of D. F. Bergen Esq to be admitted to practice as an Attorney and Counsellor at Law in this Court -

It appearing to the Court from the affidavit of D. F. Bergen Esq an Attorney at law of San Francisco California and now of the Territory of Montana in support of his application to practice in this Court as an Attorney of this Court & Certificate of admission of said D. F. Bergen to practice in the Supreme Court of the City & County of San Francisco and a Certificate of motion to practice in the District Court of the United States for the Northern District of California. It is ordered by the Court that said D. F. Bergen be and he is hereby admitted to practice in this Court & thereupon the Clerk is required to issue the necessary Certificate upon his taking the oath of office prescribed by law and his paying the fee of attorneys

12

Saturday January 28. 1893

354 The Southern Pacific Company

vs

Durfa Jamieson

Now comes J.C Israel Esq & moves the Court to grand him leave to amend the minute entry records of this Court on "Motion to dismiss" entered on the 13th inst, Motion granted, and clerk directed to amend said entry to conform to memorandum supplied by said Israel & exhibited to the Court

Order for adjourned terms of this Court-

It is ordered that adjourned terms of this Supreme Court be held as follows:

First term. On the 5th day of April, 1893 to be holden in the City of Phoenix.

Second Term. On the 2nd day of October 1893 to be holden in the City of Phoenix.

Rule of Court

The following rule having been unanimously adopted by the Court is ordered entered of record in the minutes of this Court.

Upon the final disposition of a Cause in this Court there shall be filed by the Clerk with the papers therein a Copy of the Opinion of the Court whereon the decision is based and the clerk of this Court may tax against and collect of the losing party, unless otherwise ordered as a fee for each copy the sum of Ten cents for each One hundred words thereof.

351 Charles R Mors. Appellant
— vs —
A. J. Preston — Appellee

Be it remembered that the above entitled cause came on to be heard in the Supreme Court of the Territory of Arizona at its January term 1893, upon appeal from the District Court of the First Judicial District of the Territory of Arizona in and for the County of Pima, from a judgment rendered in said District Court on the 7th day of November 1891 in favor of said A. J. Preston, Appellee and against Charles R. Mors the above named Defendant and Appellant, for the sum of Three Hundred and Thirty Six (336) dollars, and for the sum of Fifty and Forty thousandths dollars Costs.

And whereas said judgment so said District Court has been and is duly affirmed by this the Supreme Court of Arizona.

And whereas the said Appellant Charles R. Mors filed on his said Appeal executed an appeal and Supersedeas bond in the sum of Eight hundred (800) dollars with John Gardiner and Thomas Wilson as sureties thereon conditioned as required by law.

Now upon motion it is ordered adjudged and decreed by the Supreme Court of the Territory of Arizona that the said Appellee A. J. Preston do have and recover of and from the said Appellant, Charles R Mors and the said said John Gardiner and Thomas

14

1/28/94

"Upon which said appeal and supersedeas bond aforesaid, the sum of three hundred and thirty five (335) dollars, the amount of the said Judgment of the said District Court, together with interest thereon at the rate of seven per cent per annum from the 9th day of November, 1891 until the date of payment of this Judgment; also the sum of Fifty (50) dollars and Forty (40) Cents costs in said District Court, together with the sum of ~~Twenty~~ Thirty dollars and fifty cents costs on appeal in this Court with accruing costs all in lawful money of the United States.

Opinion by Kibbey J. Gooding C.J. and Quarles J. concurring

The following order was this day made by the Court and the Clerk directed to enter the same in the Minute Book to wit:

That the Court do now adjourn to meet at Phoenix the Capital of the Territory on the 3rd day of April next at 10 o'clock A.M. of said day

Chief Justice
Associate Justice
Associate Justice

Richard E. Sloan
Edmund W. Wells

In the Supreme Court
Territory of Arizona

January 1893. Term
Special Session

This court met pursuant to an order of adjournment made and entered on the 28th day of January 1893 - in the Court House, in the City of Phoenix, this day (Wednesday April 5th 1893) at 10 o'clock A.M.

Present the Honorable Edward Kent Chief Justice
" " Joseph H. Kibbey Asso. Justice
" " Richard E. Sloan Asso. Justice
The Hon. Marshal by his deputy John H. Paul
and F. W. Hammond Clerk

In consequence of the absence of Hon. E. M. Wells Associate Justice - court could not proceed to business at 10 o'clock A.M.

Chief Justice
Asso. "
Asso. "

Richard E. Sloan

January term.

Thursday. April 6. 1893

Court met at 10 o'clock A M

Present Hon Henry C Gordon Chief Justice
" " Joseph H Kibby Asst "
" " Richard E Sloan Asst "
Att'd U.S. Marshal by D.D. Molloy Deputy
and S D Hammond Clerk

Upon the opening of Court by the Marshal the Chief Justice announced to the Bar that he had received since last adjournment a telegraphic communication from Hon E.H. Wells Associate Justice to the effect that he would not be present at this session of the Supreme Court and in consequence of his absence a quorum of the Court for the consideration of matters of law cases now on the Calendar of this Court could not be had but that such cases as could be heard by the Court one the absence of Judge Wells or without a full bench would be taken up and determined by the members of the Court now sitting. and that decisions in cases so heard be rendered on Saturday the 8th instant.

Whereupon Court rose to stand at recess until Saturday April 8. at 10 o'clock A M

Chief Justice
Richard E Sloan Asst "
Asst "

Friday April 7. 1893.

Court opened for the transaction of business at the hour of 11 o'clock A.M.

Present Hon Joseph Henry Chief Justice
" Jos S Kirkpatrick associate "
" Richd E Sloan " "
The U.S Marshal by his deputy J.D Molloy
and J.D Hammond Clerk

The court being regularly opened by the Marshal - the following order was declared by the Court and ordered entered upon the Minutes thereof to-wit:

That this Court now being in session - remain open from day to day until a final order of adjournment be had to a fixed date & day - the Court when not in actual session standing and being at recess.

The following action in the matter of the accounts J.D Hammond for services as Clerk of this Court were taken and the Clerk directed to enter the same upon the record & roll -

Whereas: J.D Hammond Clerk of the Supreme Court of Arizona Territory has rendered this Court an account of services rendered by him at the regular January term A.D 1893 thereof, and has proved on oath to the satisfaction of the Court that all services therein charged were have been actually and necessarily performed, as therein stated: and it also appearing from the records that the days actually (therein) mentioned to wit: January 9. 10. 11. 13. 14. 16. 17. 18. 19. 20. 21. 23. 25 and 28 Court was open for business, & business was actually transacted: and it also appearing that the 3 days charged for to wit: January 24. 26. and 27. said Clerk

has actually and necessarily in attendance on the Court in Chambers. and Whereas:- thereon said account appears to be just and according to law:

It is ordered by the Court- that the said account amounting to the sum of One Hundred and Eighty Nine dollars (189.00) &c. and the same is hereby approved.

(Signed) Henry C Findley Chief Justice

Richard E. Sloan Chief Justice

Associate Justice

Associate Justice

Saturday April 8. 1893.

Court met in open session at 10. Oclock A.M.

Present His Honor Henry C. Gooding Chief Justice
" Jos. H. Kibbey Asst Justice
" Richard E. Sloan Asst Justice
The U.S. Marshal by his deputy T. D. Molloy
and T. D. Hammond Clerk

The Court having been duly opened by the Marshall the following decisions were rendered, and proceedings had

77 In the matter of the Application of J.J. Smith for a writ of Habeas Corpus.

The application in this cause for a Writ of Habeas Corpus, - the argument of Counsel for applicant as set forth in their Brief - heretofore filed herein and as well the brief and arguments of the Attorney General having had due and full consideration by this Court: It is now by the Court ordered & decreed that the application for said writ - be, and the same is denied.

Opinion by Kibbey J.
Gooding C.J. and Sloan J. Concurring

Saturday April 8. 1893

No 368

Arizona Lumber & Timber Company
vs
William Mooney

Opinion by Sloan J.

This action coming to this Court on an appeal from a judgment thereof rendered in the District Court of the 4th Judicial District. County of Coconino, came on regularly for hearing on the day of 1893. and being fully argued to the court by the Counsel for the respective parties, was fully and finally submitted to the court for consideration and decision: Now therefore this Supreme Court having duly and fully considered said cause and being well advised in the premises! It is by the Court: ordered, adjudged and decreed, that the judgment rendered in the Court below, appealed from, be, and the same is in all respects fully affirmed! And further that the appellee herein, the said William Mooney, do have and recover from the appellant, the said Arizona Lumber & Timber Company, and from J. C. Stricks and D.M. Riordan the sureties on the Appeal Bond, the full amount of the Judgment in the Lower Court, with interest thereon at the rate of 7 per ct per annum, from date until it be fully paid, together with all his appellate costs incurred in this action, to this Court taxed at $ and in the Court below.

In the matter of the Application of Frank A. Lyman to be admitted to practice as an Attorney and Counsellor at law in this Court.

On motion of A. B. Daly Esq a member of the Bar of this Court, and the exhibition of the Court of Certificate of membership of the Supreme Court of Utah Territory and of the District Court first and for the County of Kent in the State Michigan, Frank A Lyman Esq was duly admitted to practice in this Court and all inferior Courts of this Territory. and the Clerk of this Court directed to issue the necessary license therefor upon his taking the usual oath and signing the roll of Attorneys

No 256

Saturday April 8. 1876

The Santa Rita Land and Mining Company (a Corporation) Appellant—
vs
T. Lillie Mercer Appellee

Opinion by Gooding C. J.

This cause coming on regularly to be heard, the pleadings having duly appeared, and having by the Court been duly considered; It is ordered, adjudged and decreed by this Court, that the judgment made and entered in the District Court of the First Judicial District of the Territory of Arizona in and for the County of Pima, in favor of T. Lillie Mercer Defendant and Appellee and against the Santa Rita Land and Mining Company a Corporation, Plaintiff & Appellant &c, and the same is hereby affirmed.

And it is further ordered adjudged & decreed the said T. Lillie Mercer Appellee herein do have and recover of and from the Santa Rita Land and Mining Company, a Corporation, Appellant herein and of John A Black & W. H Tenney its Sureties on the Appeal Bond his costs in the Lower Court to wit $ and his Costs on Appeal taxed at $.

Saturday April 8. 1893

No 363 M. A. Quinn
Appellant
vs
John. Howard
Appellee -

Opinion by Kibby J.

This cause came on regularly to be heard in this - Supreme Court on an appeal from a Judgment rendered in the District Court of the 4th Judicial District County of Mohave, and being fully argued by the Court by the Attorney's for the respective parties was fully and finally submitted to the consideration of the Court

Upon due consideration thereof it is now ordered that said Judgment and decree of the said District Court be and the same is hereby affirmed.

See entry of order April 15th

Court rose and stood at recess until Monday morning at 10 o'clock A.M

Edmund E Aleen
Chief Justice
Asst
Judges

Monday April 10. 1893.

At the hour of 10 a.m. Court met — present

His Honor. Henry C Brading. Chief Justice
" Jos. A Kibby Asst "
" Richard E Sloan Asst "
The U. S. Marshal by T. D. Malloy Deputy
and T. D. Hammond Clerk

The Honorable Henry C Brading Chief Justice — announced that being informed that Associate Justice Edmund McWalls would not arrive — hearing of cases would be deferred until his arrival — and that this Court would now recess and stand adjourned until tomorrow at 10 o'clock A.M.

Richard E. Sloan Chief Justice
Associate "
Associate "

Tuesday April 11. 1893.

Court met at the hour of 10 A.M.

Present & the Honor Henry C Brading Chief Justice
" Jos. A Kibby Associate Justice
" Richard E Sloan Associate Justice

The U. S. Marshal by T. D. Malloy Deputy
and T. D. Hammond Clerk.

Pending the arrival of Associate Justice Wells Court was
ordered stand in recess.

Wednesday, April 12, 1893

Court met at the hour of 10 A.M.

Present the Honor Henry C. Goodrich C.J.
" " Chas. H. Kelley A.J.
" " Nicholas Moran A.J.
" " Edwin W. Wells A.J.

The Hon. Marshal by Deputy Sh'ff Hurley
and Sh'ff Norcross Clerk

330 W. J. Gray Sheriff and
Chas. O. Tarbox
Appellants
vs
Jeff Robinson Appellee

Now comes A. Bogislaw Esq Attorney for appellants + moves the Court to grant them 30 days time in which to file their brief + argument upon the motion for a re-hearing of the above entitled cause.

And comes C. F. Chiverton Esq and argues the motion in opposition to their motion,

Whereupon the Court finds appellants should be granted to and including the 20 day of April A.D. 1893 to file their brief

Now comes the plaintiff and moves the Court to grant him 30 days time in which to file his brief + argument upon the motion for a re-hearing of the above entitled cause.

And comes C. F. Chiverton Esq and argues the motion in opposition to said motion,

Whereupon the Court finds appellee should be granted to and including the 20 day of April A.D. 1893 to file their brief

Chas. H. Kelley A.J.
Nicholas Moran A.J.
Edwin W. Wells A.J.

Thursday April 13. 1893

Court met at the hour of
10. A.M.

Present His Honor Henry C Gantt Chief Justice
" " Joseph Kibbey Associate Justice
" " Richard E Sloan Associate Justice
The U.S. Marshal by his deputy J.D. Mallory
and W.D. Hammond Clerk

361 Territory of Arizona — Appellant
vs
Perfecto Chi Hungwuhkeit
of Cochise County for the year 1891.
Appellee

Now comes Allen R English Esq for Appellant and argues the Court on behalf of her motion heretofore made to be allowed time in which to file brief in the above entitled cause.

Ordered by the Court that she be given until 10 o'clock this day to file her said brief and further argued by the Court that if she did not file said brief this day that dismissal of the appeal will be duly considered.

73 Jefferson Pilson
Appellant
vs
United States of America
Appellee

Now comes Thomas F. Wilson Esq United States attorney and moves the Court for permission to file a brief in the above action.

Ordered by the Court that the said Attorney have until 10 o'clock this day to file said brief.

Thursday April 13. 1893

In the matter of the Application of Wiley E. Jones for admission to practice as an attorney and Counsellor at-law in this Court-

On motion of A. M. Brumbaugh Esq. - a member of this Court - who represented to the Court that he was personally acquainted with the applicant - that he was a member of the bar of Graham County this territory, in good standing, and possessed of the necessary qualifications for admission to practice in this Court, and of good moral character - and upon the further recommendation of Allen R. English Esq and of Thomas Fullerton Esq. It being made to appear to the satisfaction of this Court - that the Applicant Wiley E Jones is duly qualified for admission to membership thereof: It is ordered that he be admitted to practice in this court upon his signing the Roll of Attorney's and taking the necessary oath according to law. and the Clerk is hereby directed to issue to him a license in accordance herewith

The Court by the Chief Justice announced for the information of the Bar and all parties interested therein that decisions in several causes now for submitted would be rendered to morrow. April 14th - at Hour of 10 A.M. Thereupon Court arose & stand adjourned.

Chief Justice

Richard E. Sloan Ass'te Justice

Ernest W. Wells Ass'te Justice

Friday April 14. 1893

Court met at the hour of 10 A.M.
Present His Honor Henry E Grading Chief Justice
" " Jas A Kibby Associate Justice
" " Richard E Sloan "
" Edmund Ashley "
The U.S. Marshal by J D Molloy Deputy
and J. D. Hammond Clerk

In the matter of the Application of Reese M King to be admitted to practice as an Attorney and Counsellor at law in this Court—

On Motion of Joseph Campbell Esq and the presentation of satisfactory evidence to the Court that the Applicant was a member of the Bar of Hawaii County duly admitted to practice in the District Court in and for Said County and of good moral character. It was by the Court ordered that the said Reese M King be admitted to practice as an Attorney & Counsellor at Law in this Supreme Court upon his taking the oath according to law and signing the roll of Attorneys. The Clerk to issue the necessary license.

28

Friday April 11. 1845.

23 Jefferson Nelson
Appellant
vs
United States of America
Appellee

Opinion by Eroding C.J.

This cause having been fully argued on the 12th day of January - 1893, by W. W. Lowell Esq attorney for appellant and C. F. Stone Esq attorney for appellee and duly submitted to this court for its consideration and decision. And now by this court upon due consideration of the matter of law and fact herein, ordered, adjudged and decreed that the judgment rendered in this cause in the court below, from which appeal was taken to this court, and the said judgment is, thereby, reversed and the cause remanded for a new trial.

332 Indiana Central Bank
Appellant
vs
C. W. Mitchell,
Appellee

Opinion by Nelson J.

This cause came into this court on an appeal from a judgment rendered in the appellee herein, in the Marion Circuit Court of Marion County, and duly assigned for error by the appellant herein in this court. Upon the hearing and submission of the parties, it is by this Court ordered, adjudged and decreed, that the judgment heretofore rendered in this cause by the court below be, and the same is in all respects affirmed, and it is further ordered, and adjudged that the appellee herein do have and recover of and from the appellant herein and his sureties on his appeal bond herein expended taxed at #

Friday, April 11, 1893

354 The Southern Pacific Company Appellant

vs

Bertha Tomlinson Appellee

Opinion by Doan, J.

This cause coming on regularly to be heard and hearing by the Court been duly considered, It is ordered that the judgment made and entered in the District Court of the Second Judicial District of the Territory of Arizona, in and for the County of Pinal, in favor of Bertha Tomlinson, plaintiff & Appellee; against the Southern Pacific Company, defendant & Appellant, &c, and the same is hereby affirmed.

And it is further ordered, adjudged and decreed that the said Bertha Tomlinson, plaintiff and Appellee do have and recover of and from the Southern Pacific Company, Defendant and Appellant; and Lee Goldman, Wm. Smith, R. Heyman and John D. Smith, its sureties on Appeal, the sum of $1800.00, with interest thereon from the 11th day of June 1892, at the rate of seven per cent per annum, together with the costs in the said District Court, taxed at the sum of $978.55. and her costs on Appeal taxed at $

Bowling C.J. and Wells J. Concurring

359 John D. Campbell - Appellant

vs

Lee Gadman et al

Ellen J. Stevens Appellee

Opinion by Bowling J.

This cause coming on to be heard on appeal from a judgment made and entered in the District Court of the 4th Judicial District, in and for the County of Cochise, having been duly considered, It is ordered that the judgment and decree made and entered in said District Court be and the same is hereby reversed and the cause remanded to said District Court for a new trial.

Bowling C.J. and Doan J. Concurring.

30

Filed April 11, 1893

364

W. F. Gray, Sheriff — Charles Feldman, and Bernard Feldman Appellant

vs

Georg F. Langenberg, assignee Appellee

Opinion by Olson J.

This cause having heretofore been regularly submitted on the transcript and briefs of respective Counsel, and the Court being fully advised in the premises, does now on this 14th day of April A.D. 1893, at open session all of the Judges of said Court being present — affirm the Judgment of the Lower Court; and it appearing to the Court that &c. Feldman and John F. Dennis did sign as sureties and are the parties on the appeal bond of W. F. Gray Appellant — a copy of which bond is attached to the transcript, and accompanies the same.

It is therefore, it is adjudged and decreed that the appellee Geo F. Langenberg do have and recover of W. F. Gray the Appellant and his sureties on appeal Geo Feldman & John F. Dennis — the sum of Two Hundred Dollars and his costs in the Lower Court in the sum of Thirty two dollars and fifty cents, being the same amount rendered against Appellant in the Court below; and his costs in appeal taxed at Fourteen dollars and fifty cents and that the Clerk of this Court issue procedendo herein within fifteen days hereafter.

Gibby J. Wells J Concurring

Friday April 11. 1892

348 In the matter of the Estate of John McVicker deceased
Appellant
vs
H. J. Curran. Administrator
Appellee

Opinion by Gooding. C.J.

This cause came on regularly to be heard on appeal from a judgment rendered in the District Court of the Second Judicial District in and for the County of Pinal, in favor of Appellee. and being fully argued by the Counsel for the respective parties herein. was thereupon duly & finally submitted to the Court for its consideration and decision; and the Court being fully advised in the premises does hereby affirm the judgment of the Court below, and it is by the Court further ordered & adjudged that the appellee do have and recover of and from the Appellant his Costs herein expended taxed at

Evan J. and Wells J. Concurring

Charles Edward Lewis - Appellant
vs
Pima County - Appellee

355 Opinion by Bibbey J.

This cause came on regularly to be heard, the parties herein being duly represented, and having by the Court been duly considered, it is ordered, that the judgment made and entered in the District Court of the First Judicial District, Territory of Arizona, in and for the County of Pima on the [illegible] day of [illegible] in favor of said County of Pima, Appellee herein and against said Charles Edward Lewis, Appellant herein be and the same is hereby affirmed. And it is further ordered, adjudged and decreed that the said Pima County Appellee do have and recover of and from said Charles Edward Lewis, Appellant herein and of his sureties on the appeal bond herein [illegible] in case the terms Court taxed at $ and his costs incurred and expended on this appeal in this Court, taxed at $

Gooding C.J. and Wells J. Concurring

32

Friday April 14. 1893

370 Lon Yen

Plaintiff in Error

vs

Ah. Yow

Defendant in Error

Opinion by Kibbey J.

This cause coming on regularly for hearing and having been by this Court duly considered. It is ordered adjudged and decreed by this Court that the judgment rendered in this cause in the Court below, be reversed & the cause remanded for a new trial.

Gooding C.J. and Wells J. concurring.

345 Southern Pacific Company

Appellant

vs

William McGill

Appellee

Opinion by Wells J.

This cause coming on for hearing on this Court, and said cause having been duly and fully considered, It is now ordered adjudged and decreed as the judgment of this Court, that the District Court of the Sixth Judicial District in and for the County of Power be, and the said District Court is hereby directed to enter judgment for the Plaintiff (Appellee herein) for the sum of Fifteen Hundred Dollars against the Defendant (Respondent herein), if the Plaintiff shall elect to remit the sum of Ten Thousand dollars being the amount in which the judgment of the said District Court is held to be excessive, and if the Plaintiff do not so elect, then to grant a new trial for the whole case.

Gooding C.J and Kibbey J. concurring

Friday April 14. 1893

341-9 Huachuca Water Company
(a Corporation) Appellant-
vs
George W Sovain Appellee

Opinion by Kibbey J.

This cause coming on to be heard, on it's order on an appeal from a judgment rendered in the District Court of the First Judicial District in and for the County of Cochise, in favor of Geo W Sovain - Appellee herein, and against Huachuca Water Co a corporation - Appellant herein - Said cause having been duly and fully considered by this Court - being well advised in the premises: It is now ordered, adjudged and decreed that the said judgment of the lower Court appealed from be, and the same is hereby affirmed, And it is further ordered by this Court - that said Appellee do have and recover of and from said Appellant and its sureties on the appeal bond herein, his costs expended in this Court taxed at $ 17.20

Gooding C.J. and Wells J. concurring

362 The Natural Mining Company
of Chicago a Corporation - Appellant-
vs
Charles M. Leach et al E B. Gage - Appellees

On this 14th day of April 1893 Comes William Herring Esq Attorney for Appellees. W. H. Stilwell Esq Attorney for Appellant being present, and moves the Court that the Mandate herein issued by the Clerk of this Court in the above cause, to the Clerk of the District Court of the First Judicial District in and for the County of Cochise be recalled: Whereupon it was ordered the said Mandate be re-called by the Clerk of this Court.

Whereupon the said attorney, William Herring Esq. moved for a re-hearing of said cause, and this Court permitting said motion to be made as of the 14th day of April - denied the same.

Tuesday April 11. 1893

361

Territory of Arizona
Appellant

vs

Persons. Property. Land. Real Estate etc
The Delinquent List of the County of Cochise
for the Year 1891. Appellee

Opinion by Gooding C.J.

This cause being an appeal from a Judgment rendered in the District Court of the first Judicial District in and for the County of Cochise - coming on to be heard at the January term of this Court; on motion of A.H. Alexander Esq attorney for the Southern Pacific Company - appellee, duly submitted to this Court for its consideration and decision.

This Court having had said cause under advisement, and having duly considered the same, being well advised in the premises, now renders its decision. Hereby affirming in all respects the judgment heretofore made and entered in said cause in the Court below.

Richard E. Sloan C.J.

Saturday April 15. 1893.

Court met at 2. Oclock P.M

Present— His Honor. Henry O Gooding Chief Justice
" " Jos. H Kibbey Associate Justice
" " Richd E Sloan Associate Justice
" " Edmund W Wells Associate Justice

The U.S. Marshal by his Deputy T D Molloy
and T D Hammond Clerk

305 Territory of Arizona
— vs —
The Persons, Real Estate, Lands and property described in the Delinquent List of the County of Pima for the Year 1890. Appellee } Appellant

This cause coming on to be heard on a motion filed herein by Appellant for a Rehearing; It is ordered that the motion for a Re-hearing in this cause be, and the same is hereby denied

330 H. J. Gray. Sheriff &c Geo. D. Tantau Appellant
— vs —
William H Robinson Appellee } This cause coming on to be heard on a Motion next to be filed by appellant for a Re-hearing. It is ordered that said Motion for a re-hearing of this cause be, and the same is hereby denied

350 James. Reilly — Appellant
vs
T. H. Hutchinson — Appellee } This cause coming on to be heard on a Motion filed herein by Appellant for a re-hearing. It is now ordered that said Motion for a re-hearing of this cause be, and the same is hereby denied.

Saturday April 15. 1893

351 Charles R. Wors
Appellant
vs
A. J. Preston.
Appellee

This cause came on to be heard this day - April 15. 1893 - on a motion for a re-hearing filed herein by Appellant, which said motion having been duly considered by the Court. It is ordered that said motion for a re hearing of this cause be, and the same is denied.

365 Henry Dial.
Appellant
vs
Oscar Olsen, Hyman Wreck and Benjaman Quin - Appellee

This cause coming on in its order to be heard on an appeal to this Court from a judgment made and entered in the District Court of the Second Judicial District in and for the County of Graham, the said cause having been duly submitted on briefs filed herein by the attorneys of the respective parties hereto, and carefully and fully considered by the Court: It is now by this Court ordered, adjudged and decreed that the judgment of the Court below be, and the same is hereby affirmed.

And it is further ordered and adjudged that the appellee herein do have and recover of and from the appellant and his sureties on the appeal bond herein expended Costs at - $111.50

Saturday April 15. 1893

357 The Southern Pacific Company
Appellant
vs
Bertha Tomlinson
Appellee

Now comes H. N Alexander Esq Attorney for Appellant and moves the court for a stay of Execution for 60 days to enable Appellant to perfect its appeal to the U. S Supreme Court; and that the Court fix amount of Stay Bond

Ordered by the Court that the remittitur be stayed for 60 days, and that the Stay Bond be fixed in the sum of $40.000.

363 W. C. Owen
Appellant
vs
John Howard and
E. Arthur Allen
Appellee

It now appearing that there is good cause to set aside the order of the Court herein before entered affirming the judgment of the Court below in said cause.

It is now ordered that said order be rescinded and set aside and the mandate is hereby set aside, and this cause is continued for the term.

368 Arizona Lumber and Timber Company
Appellant
vs
William Mooney
Appellee

Now comes Webster Street of Counsel for Appellant and moves the Court to allow said appellant 60 days time in which to file a brief in support of a motion for a re-hearing to be filed within the Statutory time of 15 days.

Ordered by the Court that Appellant do have the sixty days and for and that appellee do have 40 days thereafter to file his brief in reply thereto

Saturday April 15. 1893

353 The Persons. Real Estate and Property described in the Delinquent List of the County of Pima for the Year 1892.

Marsh Mc Driscoll and Don. A. Sanford } Objectors

vs

The Territory of Arizona - Appellee

It is hereby ordered that the order of submission in this cause be set aside, and the cause continued for the term.

366 F. E. Jordan et al - Appellant

vs

John Duke et al - Appellee

It is hereby ordered that the order of submission in this cause be set aside, and the cause continued for the term.

367 John Bishop

Appellant -

E. B. Perine

Appellee

It is hereby ordered that the order of submission in the cause be set aside and cause continued for the term

Saturday April 15. 1893.

In the matter of the account of J D Hammond for Service as Clerk of this Supreme Court

Whereas:- J. D Hammond Clerk of the Supreme Court of the Territory of Arizona, has presented to this Court an account for Services rendered by him at the April Session of the January term thereof, Commencing on the 5th day of April, and ending on the 15th day of April 1893. and has proven to the Satisfaction of this Court that the services therein Charged for have been actually and necessarily performed as therein stated; And it also appearing from the records of this Court that the days mentioned therein, this Court was open for business, or business was actually transacted, and Whereas:- said account appears to be just and according to law;

It is therefore, by this Court ordered that the said account amounting to the sum of $106.00 be, and the same is hereby approved. Done in open Court, this 15th day of April at the City of Phoenix.

Signed

Henry C Gooding CJ
Jos H Kibbey AJ
Rich E Sloan AJ
Edmund W Wells AJ

[illegible]
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[illegible]
[illegible]
[illegible]

Sullivan April 13. 1893

340 The Jackson County Bank
Appellant
vs
Charles F Ainsworth
Appellee

A motion having been made in this Court by the Appellee to dismiss the appeal herein for the reason that this Court has no jurisdiction of said cause said appeal not having been taken and perfected in time and in the manner prescribed by Law, and the Court being fully and sufficiently advised of and concerning the same, It is considered and adjudged by the Court that said Appeal be and the same is hereby dismissed at Appellants cost. Taxed and allowed at the sum of Nine dollars against Appellant and it quotes. J. J Straker & P H Greene

371 The Jackson County Bank
Plaintiff in Error
vs
Charles F Ainsworth
Defendant in Error

The Defendant in Error having moved this Court to affirm the Judgment of the Court below for the reason stated Plaintiff in Error has not filed any Transcript in this Court and the time for filing the same has long since expired, and the Defendant in Error having filed with the Clerk of this Court a Certificate of the Clerk of the Court below, attested by the Seal of said Court stating the fact, as the summons on the part of Defendant, also a Copy of the Bond of the Plaintiff in Error with J J Straker and R H Greene as sureties, and the Court being fully & sufficiently advised of and concerning the premises, It is considered and adjudged by the Court that the Judgment of the Court below, be and the same is in all respects affirmed, and that the Defendant in Error Charles F. Ainsworth do have and recover of the Plaintiff in Error the Jackson County Bank, and J J Straker and R H Greene as sureties the sum of Fifty Nine dollars and Seventy one cents, with interest from December

8th 1890, and Eight-dollars and fifty cents- Defendant in Error's Costs in this Court amounting in all to the sum of Sixty Seven dollars and Seventy cents $67 70) and that he have his Execution therefor.

At 10 oclock A.M. this 15th day of April the Chief Justice and all the Associate Justices being present. All the Causes on the Calendar having been considered & decided that had been disposed of & the Court did now adjourn sine die.

Richard E. Sloan C.J.

42

In the Supreme Court
of the Territory of Arizona

January Term 1893

On Mandate
April 24th 1893

Patrick Bannick, and Charles
Hagy, administrators of Timothy
Monaghan, deceased
Plaintiffs & Appellees

vs

James T. Sims
Defendant & Appellant

To the Honorable the District Court of the Third Judicial District of the Territory of Arizona, in and for the County of Maricopa
Greeting:—

Whereas, lately in the Supreme Court of the Territory of Arizona, the Mandate of the Supreme Court of the United States, was on the 5th day of April A. D. 1893 filed herein, dismissing the Appeal to the Supreme Court of the United States, from the order of this Court herein before made on the 15th of February A.D. 1889, affirming the Judgment of the District Court of Maricopa County, Territory in the above entitled action.

Now, therefore, you are hereby commanded that such execution and proceedings be had in said cause in the District Court aforesaid as according to right and justice and the laws of the Territory of Arizona ought to be had the said Appeal thereof notwithstanding.

Witness the Honorable Henry C. Gooding, Chief Justice of the Supreme Court of the Territory of Arizona this 24th day of April A.D. 1893.

C. W. Hammond
Clerk of Supreme Court of
the Territory of Arizona

In the Supreme Court of the Territory of Arizona

January Term 1893

In Vacation
April 19 1893

Southern Pacific Company a Corporation Appellant
vs
William McGill Appellee

Now comes William McGill Appellee herein by Francis J. Heney, his Attorney & Counsel in said Cause in the Court, and fully herein Court - admits to the said Southern Pacific Company, a Corporation, Appellant in this Cause, the sum of Ten Thousand Dollars, together with interest on said sum at the rate of seven per cent per annum from the Eighth day of January A. D. 1892.

Witness my hand this 12th day of April A.D. 1893

William McGill Appellee
by Francis J. Heney his Attorney and
Counsel in this Court -

Richard E Sloan C. J.

In the Supreme Court
of the Territory of Arizona

May 24th 1893

In Vacation

By order of Honorable Henry C Gooding
Chief Justice: the clerk of this Court is required
to spread upon the minutes of this court the
appointment of A C Baker as Chief Justice of
the Supreme Court of the Territory of Arizona
to gether with his oath of Office.

Signed Henry C Gooding
Chief Justice of Arizona

Grover Cleveland

President of the United States of America

To all who shall see these presents. Greeting:

Know Ye, that, reposing special trust and confidence
in the Wisdom. Uprightness. and Learning of
A C Baker. of Arizona Territory. I do Appoint him
Chief Justice of the Supreme Court of the Territory of
Arizona. and do authorize and empower him to
execute and fulfil the duties of that office according to
the constitution and laws of the said United States
and to have and to hold the said office with all the
powers privileges and emoluments to the same of
right appertaining unto him the said A. C Baker
until the end of the next session of the United
States and no longer subject to the conditions and
provisions prescribed by law

In testimony whereof. I have caused these
letters to be made patent and the seal
of the Department of Justice to be hereunto
affixed.

Seal

Given under my hand at the City of Washington the 16th day of May in the Year of our Lord one thousand eight hundred and ninety three and of the Independence of the United States of America the One Hundred and Seventeenth

Grover Cleveland

By the President-

Olney
Attorney General

Oath of Office

I Albert C Baker do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic: that I will bear true faith and allegiance to the same, that I take this obligation freely without any mental reservation or purpose of evasion: and that I will well and faithfully discharge the duties of the office of Chief Justice of the Supreme Court of the Territory of Arizona on which I am about to enter so help me God

Albert C Baker

subscribed and sworn to
before me this 24th day of
May. 1893.

C. N. Hammond
Clerk of Supreme Court-

In the Supreme Court
of the Territory of Arizona

Monday October 2nd 1893.

The Supreme Court of the Territory of Arizona met this day at the hour of 10. O'clock a.m. in the Court House, in the City of Phoenix, Maricopa County; pursuant to an order of this court made and entered of record on the 28th day of January A.D. 1893. Present

His Honor, Albert C Baker Chief Justice
" " Richard E Sloan Associate "
" " John J Hawkins " "
" " Owen T. Rouse " "

N. K Mead. U.S. Marshal for Arizona
T. W. Hammond Clerk of Supreme Court.

The Court was duly opened by the Marshal. Whereupon the Chief Justice arose and stated for the information of the bar. that grave doubts having arisen in the mind of the Judges constituting this Supreme Court, as to the validity and legality of the order of this Court entered of record in January last fixing this date for the holding of a term of this Court. it is deemed advisable to take the matter under advisement until to-morrow, and the Court will then stand adjourned until to-morrow at 11 O'clock A. M.

A. C. Baker
Chief Justice

In the Supreme Court
of the Territory of Arizona }

Tuesday October 3d 1893.

Court met at the hour of 11 a.m. pursuant to adjournment present — His Honor Albert C Baker Chief Justice
" Richard E Sloan Associate "
" John J Hawkins " "
" Wm F Rouse " "
The United States Marshal by Deputy R E L Robinson and the Clerk.

The Court having been duly opened by the Marshal His Honor the Chief Justice stated that an opportunity would now be given to Members of the Bar, to Express their views upon the subject-matter - taken under advisement at the meeting yesterday - of which the following named Attorneys availed themselves. Ed Williams. Fleming. W. H. Alexander Esq. J. H. Barnes Esq. Jno. Fitch Esq and Attorney General F J Heney whereupon Chief Justice Baker announced that the several Justices constituting this Supreme Court had upon due deliberation reached the conclusion & decision that a valid & legal term of this Court could not now be held - and directed the following Minute entry be made upon the records of this Court, to-wit:

Whereas it appears to the Judges that there was no order made and entered by a majority of the Judges at the regular term in January 1893 providing for an adjourned term at this time and. Whereas the Judges are of the opinion that such an order is essential to the valid setting of this Court, the Judges therefore decline to sit as a Court or to proceed with any business of the Court at this time.

And the Court did then adjourn,

A. C. Baker
Chief Justice

In the Supreme Court
of the Territory of Arizona } In Vacation

In the matter of the
Application of R.B. May
for a Certificate of Probable
Cause

Upon reading & filing the application of
R.B. May for a Certificate of probable cause of Appeal,
it is my opinion that there is probable cause for the
appeal taken in the Case of The Territory of Arizona
against R.B. May from the Judgment of the
District Court of the Fourth Judicial District of the
Territory of Arizona in and for the County of Cavapai

A. C Baker,
Chief Justice of the Supreme
Court of the Territory of Arizona

Oct 14. 1890

In the Supreme Court
of the Territory of Arizona } In Vacation

Phoenix Arizona. November 6. 1893

In the matter of the application
of William H Barnes & Jno O Dunbar
for a Writ of Habeas Corpus

This Cause came on for hearing Hon. A.C. Baker Chief Justice - sitting - then being present W. K Meade U.S. Marshal - and T. D Hammond Clerk.

The Petitioners being represented by their Counsel Hon J.H Kibbey. ~~William H Barnes Esq & Jno O Dunbar~~ E.C Ingram Esq & Ben Goodrich Esq and the Attorney General - (F.J. Heney Esq) appearing on behalf of the Territory

The following named witnesses were called & sworn B.W Tichenor. W.H. Barnes & Jno O Dunbar -

Counsel for the Petitioners - Kibbey - Ingram - Goodrich - argued to the Court on behalf of Petitioners - & F.J Heney - Atty Genl argued on behalf of the Territory - During the argument of the Petitioners Counsel adjourned to meet at 9 O Clock to morrow morning.

Tuesday November 7th 1893

Court convened at the hour of 9. A.M pursuant to adjournment -

Present His Honor Albert C Baker Chief Justice
The U.S. Marshal & Clerk of Supreme Court -

Argument in above cause resumed by F.J. Heney Esq Attorney General - & continuing until 11 30 A.M when was taken until 1 O Clock P.M.

Court re-convened at 1 O.Clock P.M. whereupon the Attorney General resumed his argument - upon the conclusion of which - Ben Goodrich Esq of counsel for Petitioners proceeded to make the closing argument on behalf of said Petitioners. - pending the argument at the hour of 4 O'clock P.M. Court adjourned to meet at 9 o'clock to morrow morning.

Wednesday Nov: 8. 1893

Court convened and resumed its setting at the hour of 9 o'clock a.m - present His Honor. A.C. Baker Chief Justice of Arizona - The U.S. Marshal by Deputy and the Clerk.

Argument of Ben Goodrich Esq resumed and concluded at 10 30 o'clock - whereupon W. H. Barnes Esq one of the applicants addressed the Court, upon the conclusion of whose argument the Chief Justice rendered his decision and ordered the following decree to be entered in the minute records of this Court.

In the Supreme Court of the Territory of Arizona
(At Chambers)

In the matter of the Application of W.H. Barnes & John O'Dunbar, for a Writ of Habeas Corpus }

This matter coming on regularly to be heard this the 8th day of November, A.D. 1893, Hon Francis J. Heney, Attorney General, appearing for the Territory, and Benjamin Goodrich & Messrs Kibbey & Conrad appearing for the petitioners.

After hearing evidence in the matter and taking the same into consideration, together with the arguments of counsel, It is hereby ordered, adjudged and decreed that the petitioner W. H. Barnes, be, and he is hereby discharged; and that the petitioner John O'Dunbar is hereby remanded into the custody of the Sheriff of Pima County A.T.

(signed) A. C. Baker
Chief Justice

In the Supreme Court of the Territory of Arizona } In Vacation

In Chambers — Florence Arizona Nov^r 13. 1893

In the matter of the application of John O Dunbar for a Writ of Habeas Corpus }

This cause came on for hearing before His Honor Owen T Rouse Associate Justice, on demurrer filed by Attorney's for the Applicant. — Ben Goodrich and William H Barnes Esq^rs appearing as counsel for applicant — the Territory being represented by F. J Heney attorney General.

The Argument in support of demurrer was opened by B. Goodrich Esq. At 5 o'clock P.M. Court adjourned it met at 8^30 o'clock tomorrow morning.

November 14^th at 8^30 AM Court re-convened, Ben Goodrich Esq resuming his Argument. which being concluded F.J. Heney Attorney General of Arizona followed in reply. Further Argument presented by Ben Goodrich in the afternoon and by W H Barnes Esq in the Evening and at 9 P.M. adjournment was had to 9 A.M November 15.

At 9 A.M Nov 15. Trial of the Cause resumed — the Arguments of Counsel being concluded — Hon Honor Owen T. Rouse — the Associate Justice presiding rendered his decision in writing as follows to wit —

In the matter of John O Dunbar on Application for Writ of Habeas Corpus before Hon Owen T Rouse associate Justice of the Supreme Court of Arizona.

On the 13^th day of November 1893 came on to be heard and determined before the Hon Owen T Rouse associate Justice of the Supreme Court of Arizona — in Chambers the above matter. The petitioner John O Dunbar appeared by his Attorneys Hon W^m H Barnes and Ben Goodrich Esq^rs and the Territory by its Attorney General Francis J Heney.

Counsel for the petitioner John O Dunbar

interposed a demurrer and exceptions to the sufficiency of the return on the grounds that the judgment and order of commitment does not show on its face the fact upon which the judgment for contempt is based and does not show the facts upon which the exercise of the power to punish for contempt is found and the adjudication for contempt is made and because the judgment is uncertain and ambiguous and because the punishment imposed and adjudged is in excess of the jurisdiction & power of the Court to impose, and because the matters adjudged to be a contempt do not in fact constitute a contempt.

After full and fair hearing and argument on behalf of both parties the cause was submitted to the Justice aforesaid for his decision and determination - who after due deliberation and consideration is of opinion that said demurrer and exception should be sustained, Wherefore it is his and now ordered and adjudged, that said demurrer and exceptions be and the same are hereby sustained and the prisoner John O Dunbar be and hereby discharged from Custody

Done this November 15th 1893 (Owen S Rorad

Signed Associate Justice
Supreme Court of Arizona

In the Supreme Court—
of the Territory of Arizona } In Vacation.

Phoenix, Arizona. Nov 21st 1893

In the matter of the application
of Frank McKinney for
Writ of Habeas Corpus }

In the matter of Frank McKinney on application for a writ of Habeas Corpus before Hon. Owen T. Rouse Associate Justice of the Supreme Court of Arizona.

On the 21st day of November 1893 Cannon to be heard and determined before the Hon. Owen T. Rouse Associate Justice of the Supreme Court of Arizona in Chambers the above matter the Petitioner Frank McKinney appeared by his attorney E. J. Edwards Esq. His Counsel interposed a demurrer and exception to the sufficiency of the return on the grounds that the Judgment and order of Commitment does not show on its face the facts upon which the judgment for Contempt is or was based— and does not show the facts upon which the exercise of the power to punish for contempt is based and adjudication for Contempt is made is made, and because the Judgment is uncertain and ambiguous, and because the punishment imposed and adjudged is in excess of the Jurisdiction and power of the Court to impose and because the matter adjudged to be Contempt on not a fact of Contempt.

After full and careful investigation of the matter the Court finds for his decision and determination that said demurrer and exceptions should be sustained—

Wherefore it is ordered and adjudged that said demurrer and exception be, and the same are hereby sustained, and the Petitioner is hereby discharged from Custody.

Done this November
24th 1893

Owen T Rouse
Associate Justice of the
Supreme Court of Arizona

In the Supreme Court
Territory of Arizona

January (1894) Term

The Supreme Court of the Territory of Arizona met this 8th day of January A.D. 1894 in the Court House in the City of Phoenix at the hour of 11. O'Clk

Present His Honor. A.C. Baker Chief Justice
Hon. R.E. Sloan Associate Justice
Hon D. Rouse do
The U.S. Marshal by deputy
and F.A. Hammond Clerk

Hon Jno J Hawkins Associate Justice not having arrived Chief Justice Baker announced that taking up the Calendar would be passed until the afternoon session. and if then present any persons present desiring admission to this Court motions for admission would now be heard.

On motion of Joseph Campbell Esq. and the presentation of Certificate of membership of the Supreme Court of California J.O. Bellows Esq was admitted to practice as Attorney & Counsellor of this Court.

Court adjourned until 2. O'Clock P.M.

At 2. O'Clock P.M Court reconvened

On motion of Charles Meller it ought Esq it is ordered that the applicant was a member of the U.S. Supreme Court it was ordered that Leander J Shumpert, be admitted to practice as an Attorney & Counsellor at Law upon his taking the oath & signing the Roll of Attorneys

1/5/04

The following named persons Attorneys and Members of this Bar were appointed by the Court a Committee to draft rules for this Court, and requested to report the same for consideration on the opening of Court Monday Morning January 15th

E. J. Edwards Chairman
Chas Wooten Wright
D. M. Franklin
Joseph Campbell
Chas F. Ainsworth

Chief Justice Albert C Baker speaking for the Court announced that R. D. Hammond Clerk of this Court having tendered his resignation - the matter of appointing his successor had been taken under consideration by the several Judges, and J. L. Alexander appointed as Clerk of this Court.

And J. F. Briggs is hereby appointed Crier in this Court—

Consideration of the Causes on the Calendar were then taken up and the following proceedings had in relation thereto

No 1 Territory of Arizona Appellant
vs
The Territory of Arizona Appellee
} Cause to be called Monday 16th inst.

No 19 C. B. Hay Appellant
vs
The Territory of Arizona Appellee
} Cause to be called Monday 15th inst.

No 5 & 6 Daniel Neal Appellant
vs
The Territory of Arizona Appellee
} Cause to be called Monday 15th

1/8/94

No 81	William K'Ecan.	Appellant	Passed until Monday 15th
	vs		
	The Territory of Arizona	Appellee	
No 82	J. C. Howard	Appellant	Passed until Monday 15th
	vs		
	The Territory of Arizona	Appellee	
No 83	Vincente Romero	Appellant	Passed until tomorrow 9th
	vs		
	United States of America	Appellee	
No 84	Eligio Miramontez	Appellant	Passed until tomorrow 9th
	vs		
	The Territory of Arizona	Appellee	
No 85	Frank N Howard	Appellant	Passed until tomorrow 9th
	vs		
	The Territory of Arizona	Appellee	
No 86	King Woolery	Appellant	Dismission of cause Requested by Attorney General -
	vs		
	Territory of Arizona	Appellee	Passed to 9th
No 87	Jack Booth et al	Appellant	Set for argument at 2. O'clock 9th
	vs		
	Territory of Arizona	Appellee	
No 88	Harry Hancock	Appellant	Set for argument at 2. O'clock 9th
	vs		
	Territory of Arizona	Appellee	

1/5/94

No 54	George Cruce	Appellant	Passed until the morning of the
	vs		
	United States of America	Appellee	
No 353	The Persons Real Estate etc		
	the Delinquent List of Pima Co. 1892		
	Walsh & Driscoll		Set for hearing Thursday 11th
	Don A Jenkins	Appellees	at 10 Oclock a m
	vs		
	Secretary of Arizona		
No 363	N. H. Cunningham	Appellant	Passed
	vs		
	John Howard et al	Appellees	
No 366	A. E. Jordan et al	Appellant	Passed
	vs		
	John Doe et al	Appellees	
No 367	John Bishop	Appellant	Passed
	vs		
	E. B. Perrin	Appellee	
No 369	U. S. of America	Appellant	Passed
	vs		
	A. A. Brachman et al	Appellees	
No 372	Board of Regents of the University of Arizona	Appellant	Passed to 9th
	vs		
	Mary Schaleton	Appellee	

58

1/8/94

No 374 — San Pedro Cattle Co. vs G.M. Williams — Appellant / Appellee — Set for hearing Friday 17th 10 O'clock A.M.

No 375 — Arizona Gazette Co vs H. C. Bond. Auditor — Original Case — Mandamus — Set for hearing Wednesday 10th at 10. O'Clock

No 376 and No 377 — Santiago Arnaud, adm'r etc. — Appellant vs The New Mexico & Arizona R.R. Co. — Appellee — a Corporation

Ordered that Judge Hoff Barnes have until Monday 15th to file briefs — and cause to stand submitted

6

No 378 — William Christy — Appellant vs Delos Arnold — Appellee — Passed - to Nov 9th

No 379 — Hal Hawkins Clerk of Board of Supervisors etal — Appellant vs James R. McClinden — Appellee — Set for argument Wednesday 10th at 2 O'clock

No. 351 — The Mutual Life Ins Co of New York a corporation — Appellant vs Elbert Archelger adm'r — Appellee — Argument set for Friday 12th at 2. O'Clock with leave to appellee to file brief. Copy to be furnished opposite Counsel on Thursday 11th

1/5/94

No 381	H.C. McDonald et al vs Hyman Ellis	Appellant Appellee	Passed & 9th
No 382	David Bulz et al vs Adolph Siebenow	Appellant Appellee	ordered that Appellee have until Monday 16th to file brief
No 383	John M. Evans vs Frank Clemens et al	Appellant Appellee	ordered that appellee have until Monday 15th to file briefs
No 384	Pulaski River Canal Co vs P K McNiely	Appellant Appellee	ordered that Alexander Stillwell be substituted as attorneys for appellee - Set for hearing Monday 15th inst -
No 385	Chas H Meyer vs Wm H Carter	Appellant Appellee	set for hearing to morrow 9th at 10 O'clock am
No 389	J.G. Kinnear et al vs Wm Steiner	Appellee Appellant	Cause subject to call
No 390	Adolph Cohn vs A.J. Mellen et al	Appellant Appellee	set for hearing to morrow 9th at 2 O'clock PM
No 391	W J Smith vs J K Brown	Appellant Appellee	set for hearing Tuesday 16th at 2 O'clock

1/8/1911

No 391 | The Persons Real Estate etc Pekinguant Lit Pinal Co ... 1892 Geo H Dooley Objector vs The Territory of Arizona | Set for Thursday 11th at 10 oclock

No 393 | The Persons Real Estate etc Pekinguant Lit Pinal Co ... 1892 Geo H Dooley Objector vs The Territory of Arizona | ordered that Cause be dismissed at cost of Objector

No 3115 | Juana Nuckles et Minor by Rosetta Jones her guardian — Petitioner vs The District Court, Second Judicial District, Arizona. Pinal County & Orrin F Ronzee Judge of said Court — Respondent | Ordered that — Return of Writ for Wednesday 17th Inst at 10 oclock AM & Petitioner required to file brief & serve copy on Opposite Party on Wednesday next — Opposite Counsel to file brief & Tuesday 16th inst

No [illegible] | F. F Brown — Appellant vs Territory Arizona — Appellee | Set for hearing 4 January 9th at 2 oclock PM.

No 399 | Yuma County — Appellant vs F H Thompson Sheriff — Appellee | ordered that Appellant have & Thursday 11th to file brief

No 400 | Concepcion Alvarado — Appellant vs Isaac Levy — Appellee | Ordered set for hearing Thursday 11th at 2 oclock PM

1/8/94

No 403	Ex parte Emil Snyder Habeas Corpus vs Sundry of Arizona		ordered that cause be set for hearing on Thursday 18th inst — Brfs to be filed by Petitioner on Thursday 11th inst and served on Attorney General
No 408	C. E. McInnes vs A. L. McInnes	Appellant Appellee	Ordered that Appellant have 10 days to file brief & appellee 5 days thereafter to file reply & cause then to stand submitted.
No 409	Jerge Reed vs The Common Council of the City of Phoenix	Appellant Appellee	Ordered that cause be set for hearing on the 23rd inst - and briefs filed in interim
No 410	The County of Pinal vs Jerge Rush et al	Pltff in Error Pltff in Error	Ordered that Mr Jackson be substituted for Kibbey & Israel as atty for Pltff in Error & Motion by Jackson & Cravens be heard on 9th inst motion & exhibits to be filed in writing - and ordered that Motion by Kibbey & Israel & Consolidate No's 410 & 411 - be filed in writing
No 411	The California Bridge Co. vs Jerge Rush et al	Pltff in Error Pltff in Error	

Upon the conclusion of reading the Calendar Court adjourned to meet to morrow morning at 10 Oclock AM

A. C. Baker
Chief Justice
Associate Justice

"

"

In the Supreme Court.
Territory of Arizona

January Term 1894.

Tuesday January 9th. 1894. The Court opened at 10 o'clock A.M.

Present.. His Honor Albert C. Baker. Chief Justice.
" " Richard E. Sloan Associate Justice
" " John J. Hawkins " "
" " Owen T. Rouse " "

The United States Marshall by his deputy John W. Maulsard.
C. E. Ellinwood United States Attorney.
J. J. Briggs Court Crier.
J. F. O. Alexander Clerk and Ed. Mercaef U.S. Court Bailiff

No. 84. Eligio Miranchie Appellant
vs.
The Territory of Arizona Appellee.
Ordered Mason this Monday morning January 15th 1894

No. 86. King Hussey Appellant
vs
The Territory of Arizona Appellee.
On motion of E. J. Edwards Esq. Pierce Evans Esq. was added as Counsel for Appellant.

No. 347 Board of Regents of the University of Arizona Appellant
vs
Mary Charlebois Appellee
Ordered that this case be set for argument on Jany 19th 10 a.m.

No. 348 William Christy Appellant
vs
Peter Arnold Appellee.
Ordered that this case be set for argument on Jany 19th at 2 o'clock P.M.

No. 381 — H. C. McDonald and J. B. Montgomery, Appellants. / vs / Hyman Ellis, Appellee — Ordered passed until January 10th 1859.

No. 340 — Adolph Tohn, Appellant. / vs / A. J. Mehan et. al., Appellee — Ordered that Appellant have until Jany 11th 1859 to answer Motion filed this day by Appellee, to dismiss

No. 399 — Gila County, Appellant / vs / J. H. Thompson Sheriff, Appellee — On motion of E. J. Edwards Esq. Pierce Cross Esq. was added as Counsel for Appellee.

No. 410 — The County of Pinal, Plaintiff in error. / vs / George Pusch et. al., Defendants in error. — Ordered set for hearing Jany 10th at 7 o'clock P.M.

No. 411 — The California Bridge Co., Plaintiff in error / vs. / George Pusch et. al., Defendants in error. — Ordered set for hearing Jany 10th Inst at 7 o'clock P.M.

No 414 — The Florence Canal Co., Appellant / vs / Thomas Davis, Appellee — Ordered that Appellant do have until Jany 15th to file Brief and that Appellee do have until Jany 20th to file Brief in reply. and that cause stand submitted on said Briefs. Judge Sloan being interested in the subject matter of this case, not sitting.

No. 413 — W. P. Thomas. Appellant vs Paine, Kent & Kelly Appellees. — Ordered that this cause be set for hearing tomorrow January 10th at 2 P.M.

No 415 — Martin Allen. Appellant vs The Arizona Copper Co. Limited, a Corporation. Appellee — Ordered that appellant do have today to file Brief. And that cause be set for Hearing Thursday Jany 18th at 10 A.M.

No 416 — Thomas Davis. Appellant vs George S. Dodson. Appellee — Ordered that appellant do have today to file Brief. And that appellee do have until Jany 15th to file Brief in Reply. And Cause to be Considered as Submitted on said Briefs.

No 417 — Henry Dial. Appellant vs Oscar Olsen, L. P. Hanne, and Wm Bennett. Appellees — Ordered that appellees do have until Jany 15th to file Brief...

No 418 — Frank Vomocil. Appellant vs. L. V. Moore. Appellee — Ordered that this Cause be set for hearing on Monday morning Jany 15th on convening of Court.

The Court took a recess until 2 o'clock P.M.

The Court reconvened at 2 P.M.

The Bond of J. F. B. Alexander as Clerk of this Court was approved by the Judges of the Court and ordered filed with the Secretary of the Territory. as required by law.

No. 388. Chas H. Meyer. Appellant. vs Wm H. Culver Appellee — This Cause having been previously set for argument on this day. It was orally argued by P. W. Franklin Esqr for Appellant and by J. H. Stacy for Appellee and submitted.

No. 57 Jack Booth et al,
Appellant
vs
The Territory of Arizona
Appellee.

This Cause having been previously set for argument on this day it was orally argued by E.J. Edwards Esq for Appellant and by Francis J. Heney Attorney General for the Appellee and submitted.

No. 58 Harry Hancock
Appellant
vs.
The Territory of Arizona
Appellee

This Cause having been previously set for argument on this day it was orally argued by E.J. Edwards Esq. for Appellant and by Francis J. Heney Attorney General for the Appellee and submitted.

No. 348 A.A. Benson
Appellant
vs
The Territory of Arizona
Appellee

This Cause having been previously set for argument on this day it was orally argued by E.J. Edwards Esq. for Appellant and by Francis J. Heney, for the Appellee and submitted.

Upon motion of Pierce Evans Esq. Wade H. Hastings Esq. was admitted to practice in this Court by order of the Court. Said Wade H. Hasting having Procured a license from the District Court of the Third Judicial District of the Territory of Arizona to practice therein.

It Was ordered that the Court stand adjourned until 10 o'clock tomorrow morning at 10 o'clock January 10th 1894.

A. C. Baker Chief Justice.
" Associate "
" "
" "

In the Supreme Court,
Territory of Arizona } January Term 1894.

Wednesday January 10th.

The Court met at 10 Oclock A.M.

Present. His Honor Albert C. Baker. Chief Justice.
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rouse. " "
United States Marshall W. H. Meade.
" " Attorney E. E. Ellinwood.
Court Crier J. J. Briggs
Clerk J. F. B. Alexander and Ed McGarghs Bailiff

The following Causes were Considered and Proceedings had thereon as follows.

No. 388.

Chas H. Meyer
Appellant
vs.
Wm H. Cowper
Appellee

This Cause having been heretofore argued, submitted and by the Court taken under advisement and the Court having fully Considered the same and being fully advised in the premises,

It is Ordered that the Judgement of the Lower Court be and the same is hereby affirmed. with Costs. And it is further ordered and adjudged that the appellee herein do have and recover from the appellant and Bail Heshimer and E. J. Dwyer on the Bonds on the appeal herein the Sum of $ 50 being the costs in the Court below and the costs in this Court taxed at $

No. 89.

Jacob Booth, Mick Booth and John Booth
Appellants
vs
The Territory of Arizona
Appellee

This Cause having been heretofore Argued, submitted and by the Court taken under advisement and the Court having fully Considered the Same and being fully advised in the premises. It is Ordered that the Judgement of the Lower Court be, and the same is hereby affirmed as to Jacob Booth, one of the appellants and it is further ordered that the Judgement of the Lower Court be and the same is hereby reversed as to Mick Booth and John Booth, the two other appellants and that they be remanded for new Trial.

No. 348 A. A. Benson
Appellant.
vs
The Territory of Arizona
Appellee.

This Cause having been heretofore Argued, Submitted and by the Court taken under advisement and the Court having fully considered the same and being fully advised in the premises, It is ordered that the Judgement of the lower Court be and the same is hereby affirmed,

On motion of C. W. Wright Esqr. it was ordered by the Court that Wm A. Dalton Esqr. be admitted to practice in this Court. Upon his taking the usual oath and signing the roll of attorneys. he having a license to practice from the Supreme Court of Colorado.

No. 385. Bella A. Carrol
Appellant
vs
John Ayers and W. S. Gray.
Appellees.

On motion of Frank Cox Esq. It was ordered that Mess. Fitch and Campbell be substituted as Attorneys for appellees in place of Cox and Williams.

No. 83 Vicente Romero
Appellant
vs
United States of America
Appellee

Motion of United States Attorney to dismiss the appeal in this Cause coas. denied. Whereupon it was ordered that the U.S. Attorney have until tomorrow morning to file Brief and that Appellant have until Jany. 15th to file Brief in reply.

No. 84 George Price
Appellant
vs
United States of America
Appellee.

It was ordered that Appellant have until Jany 15th to file Brief and Appellee have until Jany 18th next to reply.

No. 116 Thomas Davis
Appellant
vs
George D. Dobson
Appellee

Ordered that Appellant have tomorrow to file Brief in this Cause

No. 369

The United States of America
Appellant
vs
Samuel Drachman, Fredrick C. Austin
and Emanuel Lowenstein.
Appellees.

The Motion to affirm having been heretofore submitted to this Court by the Appellee and the Court having taken the same under Consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the lower Court be and the same is hereby affirmed with Costs and it is further ordered that appellee herein recover from the Appellant herein the Costs of this Court incurred by said Appellee Taxed at $6.50

No. 413.

D. A. Thomas.
Appellant
vs
Lane, Kent and Kelly
Appellees

Ordered that Appellant have to morrow to file Brief in this cause and that appellee have until Jany 13th to reply.

No. 399

Gila County
Appellant
vs.
J. N. Thompson
Appellee

Ordered that Appellee have to morrow to file Brief.

No 381

H. C. McDonald & J. B. Montgomery
Appellants
vs
Hyman Ellis
Appellee

Ordered that Appellant have until Jany 15th to file Brief and Appellee until Jany 17th and to stand submitted.

No 375

Arizona Gazette Co.
vs
H. C. Boone Auditor

Original Jur Mandamus.

The Demurrer to the petition was orally argued by Attorney General Francis J. Heney for H. C. Boone and Webster Street Esq. for the Arizona Gazette Company.

The Court took a recess until 2. O'clock P M.

2 Oclock P.M.

The Court reconvened, all parties.

No 375 The Arizona Gazette Co. vs H.C. Boone Sheriff — Argument on the demurrer of the defendant in this cause was resumed and the cause submitted.

No 410 Pinal County Plaintiff in error. vs. George Bush et al. Defendants in error. — Ordered that this cause be set for hearing tomorrow at 2 P.M.

No. 399 Nat. Hawk Clerk of Board of Supervisors et al. Appellant. vs. J.P. McAllister Appellee. — Motion of Appellee to dismiss the appeal was taken m/s. and it was Ordered that this cause be considered as submitted. Judge Baker being disqualified not sitting in the case.

The following order was made by the Court in the Matter of the account of J.D. Hammond as Clerk of the Court. Towit:

Whereas. J.D. Hammond Clerk of the Supreme Court of the Territory of Arizona, has presented to the Court his account of services rendered by him for attendance on the sessions of the Supreme Court as such Clerk. and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated, and, it also appearing from the records of this Court that the days. the days. above mentioned towit: April 14th and 21st May 21st October 2nd 3rd and 14th November. 6th 7th 8th 13th 14th and 21st in the Year. 1893. and January 8th in the year 1894 and for which Service is Charge. Court was open for business or business was actually transacted and Whereas said account appears to be just and according to law. It is ordered that the said Account amounting to the sum of One Hundred and Thirty (130) Dollars Be and the Same is hereby approved.

Done at Phoenix the Capital of the Territory this 10th day of January A.D. 1894.

A

A.C. Baker. Chief Justice
Richard E. Sloan Associate Justice
Jno. J. Hawkins Associate Justice
Owen T. Ross Associate Justice

No 384

J. P. Kinnear
appellant
vs
Jennie Kinnear et al

Motion of appellant for rule on Clerk of District Court to certify up Record, was submitted.

It was ordered that the Court Stand adjourned until tomorrow at 10 o'clock A.M. January 11th 1894

A. C. Bartlett Chief Justice
Associate "
" "
" "

In the Supreme Court } January Term 1894
Territory of Arizona }

Thursday January 11th.

The Court met at 10 O'clock A.M.

Present. His Honor. Albert C. Baker Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rouse " "
United States Marshal W. H. Meade by his deputy Ed. Metcalf.
The Court Crier J. F. Briggs.
J. F. Alexander Clerk.
United States Attorney E. E. Ellinwood.

The following causes were called and considered.

344 Gila County
Appellant
vs
J. H. Thompson
Appellee

Stipulated that this cause be set for hearing tomorrow afternoon.

340 Adolph Cohn
Appellant
vs
W. J. Meehan
Appellee

Ordered that the Appellee have ten days to reply to the Brief of the Appellant filed in this cause. and the cause be considered as submitted upon the filing of said Reply.

410 County of Pinal
Appellant
vs.
Geo. Otis et al
Appellees.

Ordered that the motion to dismiss in this cause be considered as submitted.

411 The California Bridge Co.
Appellant
vs
Geo. Otis et al.
Appellees

Ordered that the motion to consolidate cases. 410. and 411. be considered as submitted

383. J. M. Evans.
Appellant
vs
Frank Glencross et al.
Ordered that appellee have until June 16th to file Brief.

385 Bella Caroff
Appellant
vs
John Byers et al.
Order that this Cause be considered as Submitted.

Mar Cananea del Oro Mining Co.
Appellant
vs
Horace F. Collins.
Appellee.
Ordered that appellee have today to file motion to dismiss and affirm.

353 Person's Real Estate etc. Delinquent for 1897.
Pima County.
Marsh & Driscoll and Pow. A. Dunford Objectors. Appellants
vs.
The Territory of Arizona
Appellee.
This Cause was argued by C. W. Wright Esq for Marsh and Driscoll and Pow. A. Dunford Objectors and by W. M. Rovel Esq and Frank Herreford Esq for the Appellee. Which was submitted and it was ordered by the Court that W. M. Rovel Esq. have leave to add other authorities to his Brief on file in this Cause.

347 The Persons Real Estate etc. Delinquent.
for 1897 Pima County.
Marsh and Driscoll Objectors.
Appellants
vs
The Territory of Arizona
Appellee
This Cause was considered as submitted

The Court took recess until 4 Oclock P. M.

4 Oclock P. M.

The Court reconvened

It was ordered by the Court that during the remainder of this Session of the Court that it meet at 4 Oclock in the afternoon instead of 10 Oclock in

The forenoon as heretofore

1900 Concepcion Alvarado
Appellant
Chief Justice Butler not taking part in the decision herein rendered

vs

Isaac Leon
Appellee

The Motion to dismiss the appeal in this Cause was submitted to the Court and the Court having taken the same under Consideration and having freely Considered the same, and being freely advised in the premises. It is Ordered that the appeal in this Cause be dismissed and the Judgement of the Lower Court be and the same is hereby affirmed with Costs.

And it is further ordered that the appellee herein recover from the appellant herein and W.H. Cadell and M.F. Molina Treasurer on the bond mapped herein the costs in the Court below together with his costs in this Court taxed at $ 7.00

Ordered by the Court that all the Cases set for hearing at 10 O'clock tomorrow morning be heard on tomorrow afternoon. And that all other Cases set for hearing heretofore at the forenoon Sessions of the Court be taken up and [illegible] at the afternoon Sessions of the Court.

379 Nat. Bank Clerk of the Board of Supervisors of Cochise County.
Appellant

vs.

J.P. McAllister
Appellee

This Cause having been heretofore submitted and the Court having taken the same under advisement and having freely Considered the same and being freely advised in the premises, It is ordered that the Judgement of the Lower Court be and the same is hereby affirmed with costs and it is further Ordered that the appellee James P. McAllister do have and recover of and from Nathaniel E. Nash and W.K. Perkins appellants and J.J. Bowbridge, B.A. Packard, N.G. Green, J.N. McDonough, N.D. Scribner, Ike White and Thomas Power the sureties on the appellants bond herein, the costs incurred in this cause in the Court below together with the costs incurred in this Court by said appellee taxed at Thirteen 50/100 Dollars.

It was ordered that the Court Stand adjourned until tomorrow at 9 O'clock A.M. January 13th 1894.

A.C. Baker Chief Justice.

In the Supreme Court
Territory of Arizona

January Term 1894.

Friday January 19th.

The Court met at 9 Oclock P.M.

Present. His Honor. Albert C. Baker. Chief Justice. M.D. Marshall. by his deputy Ed McCarty.
" " Richard E. Sloan Associate " M.D. Attorney E.E. Ellinwood
" " John J. Hawkins " " Court Crier. J.J. Briggs.
" " Owen T. Rouse " " Clerk J.F.B. Alexander

The following Causes were taken up and considered by the Court.

No 14 The Canada del Oro Mining Co. Appellant.
vs
Horace S. Collins Appellee

Ordered that appellant have until Monday Morning Jany 15th to reply to motion of appellee to dismiss and affirm in this Cause.

88 Harry Hancock Appellant
vs
Territory of Arizona Appellee

This Cause having been heretofore Argued, submitted and by the Court taken under advisement and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the lower Court be and the same is hereby reversed and that the appellant Harry Hancock be remanded for a new Trial.

375 The Arizona Gazette Co.
vs.
M.C. Boone

Original Mandamus.

This Cause having been heretofore argued submitted and by the Court taken under advisement and the Court having fully considered the Same. and being fully advised in the premises, It is hereby Ordered that the Demurrer of the defendant herein be and the same is hereby Sustained and it is further ordered that the Petitioner have until Monday Morning to file Amended Complaint in this Cause.

v 380 The Mutual Life Insurance Co. Appellant vs Edward Archeyer Appellee

At request of Appellee Argument in case was postponed until June 15th.

v 314 The San Pedro Cattle Co Appellant vs G.M. Williams Appellee

This cause was argued by Frank Hereford Esq for Appellant and by A.M. Franklin Esq. for Appellee, which was submitted.

v 349 Gila County Appellant vs J.A. Thompson Appellee

This cause was argued by Webster Street Esq. for Appellant and by Wirt Franz Esq for Appellee which was submitted.

It was ordered that the Court stand adjourned until Monday at 2 o'clock P.M. January 15th 1894

A. C. Baker Chief Justice

Associate "

" "

" "

In the Supreme Court
Territory of Arizona

January Term 1894.

Monday January 15th.

The Court met at 2 o'clock P.M.

Present.

His Honor. Albert C. Baker. Chief Justice.
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rouse " "

United States Marshall by his deputy Ed. McCarty
United States Attorney E. O. Ellinwood
Court Crier J. F. Briggs
Clerk. J. F. Bakerlander

Consideration of the causes on the Calender. was taken up. and the following proceedings were had with respect thereto

351 H. C. McDonald etal vs Hyman Ellis | Motion to dismiss was ordered submitted
Judge Baker not sitting, being disqualified.

375 The Arizona Gazette Co vs H. C. Boone Under | Petitioner granted until Jany 19th to file amended Complaint

411 The Canada del Oro Mining Co. vs Horace T. Collins | Ordered that Appellant have until Jany 17th to reply to appellees Brief

417 Ching Ling vs United States | Ordered that motion of Appellee for rule on Clerk of District Court to certify up record in this cause be overruled

47 J. F. Howard vs Territory of Arizona | On motion of the Attorney General this cause was dismissed the appellant having been pardoned by the Governor

90	H.B. Warner vs The Territory of Arizona	Ordered That the assignment of errors filed in the Court below January 9th 1894 and the certificate to the Manuscript on appeal be annexed and made a part of the said transcript as of January 9th and that the appellant have until Jany 22. to file Brief in this cause.
91	John W. Tyatt vs Territory of Arizona	Ordered That the assignment of errors filed in the Court below January 9th 1894 and the certificate to the Manuscript on appeal be annexed and made a part of the said transcript as of January 9th and that appellant have until Jany 22 to file Brief in this cause
89	Vicente Romero vs United States	Set for argument January 18th
81	Ofigio Miramonte vs Territory of Arizona	Set for hearing January 16th at 2 P.M.
81	King Massey vs Territory of Arizona	Set for hearing Jany 16th at 2 P.M.
337	Fred Smith et al vs United States	Ordered that this cause be continued for the term, by Consent
317	David Batzy et al vs Adolph Tiebenor	Appellant given till Jany 20th to reply to appellee's brief
1st	J.U. Meyerstein vs Isadore E. Solomon et al.	Ordered That appellee have until tomorrow to file motion to dismiss.

#13	D.A. Thomas appellant vs Tame, Kent & Kelly appellees	It is ordered that this Cause stand submitted on Briefs
#17	Henry Dial vs Oscar Olsen etal	Ordered Passed until tomorrow
#16.	Thomas Davis vs. Geo. H. Dobson	Ordered that motion to dismiss filed in this cause be submitted
38#	Salt River Valley Canal Co. vs P.K. Hickey	Ordered that motion of Appellee to dismiss as well as the merits of the case be submitted on Briefs
#18	Frank Nomo ajr vs C.V. Moore	Ordered That motion to dismiss be submitted
36c.	The Mutual Life Insurance Co vs Edward Urtetiger	Argued by J.H. Early Esq for Appellant and by C.J. Edwards for Appellee which was submitted

The Committee of the Bar heretofore appointed to draft rules of practice for the Supreme Court submitted its report accompanied with a draft of such rules prepared by it for the consideration and approval of the Court. Whereupon it was ordered by the Court that the consideration of the rules submitted by the Committee be postponed to tomorrow at 10 a.m.

January 11th 1894. Ordered that the Court stand adjourned until tomorrow Thursday at 10 o'clock a.m.

A.C. Baker Chief Justice
Associate "
" "
" "

In the Supreme Court
Territory of Arizona

January Term. 1894.

Tuesday Jany 16th. The Court met at 10 a.m.

Present,
His Hon. Albert C. Baker Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rose. " "

United States Marshal Sylvis deputy Ed McKaig.
United States Attorney C.C. Ellinwood
Court Crier J.F. Briggs.
Clerk J.F. Alexander

Consideration of the following Causes were had.

The Court proceeded to take up, and consider the Rules of practice for the Government of the Court. drafted by the Bar-Committee heretofore appointed and submitted for the approval of the Court. After Considering Rules two and three of such draft. the further Consideration of said Rules. was postponed until Tomorrow at 10 a.m.

1149 Hiedamarie. Prescott & Phoenix Railroad Co Plaintiff. vs. J.J. Fisher, John Martin, J.H. Dougherty Wm. King and Earl Bashford Defendant. | Upon application of J.E. Herndon Esq. leave was granted to defendants to file petition for a writ of Certiorari.

Court took recess. till 2 o'clock P.M.

After recess. Court reconvened.

1113 D.A. Thomas Appellant
vs
Jane Hunt and Hetty Appellees. | This Cause having been heretofore submitted and by the Court taken under advisement. And the Court having fully considered the same and being fully advised in the premises. It is hereby ordered. that the judgement of the lower Court be and the same is hereby affirmed with Costs. And it is further ordered and adjudged that the appellees. herein do have and recover of and from D.A. Thomas the appellant herein and Edwin Stanley and Allen D. Bird their bail herein on the appeal bond herein the sum of Five Thousand Seven hundred and fifty dollars. with interest at 7 per cent per annum from the 9th day of June 1893 and costs of the lower Court in the sum of $87.55 and the costs in the Court taxed at $110.00

418 Frank Vomocil
vs.
C.V. Moore

This Cause having been heretofore dismissed and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the Motion of the Appellee herein C.V. Moore to affirm be and the same is hereby Granted and that the Judgement of the lower Court be and the same is hereby affirmed, with Costs. And it is further Ordered that the Appellee C.V. Moore do have and recover of and from Frank Vomocil appellant herein and Eugene D. Sanguinetti and John Mofflet the Sureties on the appellants bond herein the sum of Four Hundred Dollars, together with the Costs of appellee therein recovered in the lower Court in the sum of One Hundred and forty nine 40/100 Dollars, with legal interest thereon from date of said Judgements and the Costs of appellee in this Court taxed at $ 7.00.

385 Della Carroll appellant.
vs.
John Byers and Wm Gray appellees

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Motion of Appellees herein to dismiss and affirm herein and the same is hereby denied and that the Judgement of the Court below be and the same is hereby reversed and Cause remanded for new trial, and it is further ordered that appellant herein recover from the appellees herein her costs in the Court below. Together with her costs in this Court [illegible] at $ 17.00

419 Santa Fe, Prescott & Phoenix Railroad Co
vs
J.J. Fisher et al.

It was ordered that a writ of Certiorari do issue in this Cause as prayed for by the defendants herein, made returnable forthwith

418 The Canada del Oro Mining Co
vs
Horace D. Collins

This Cause having been heretofore submitted and by the Court taken under Consideration, and the Court having fully considered the same and being fully advised in the premises It is ordered that the appellant herein be and the same is hereby dismissed with cost. This Court having no jurisdiction in the premises, the amount involved therein being less than One Hundred Dollars. and it is further ordered that appellee have and recover of and from the appellant herein and the Wm and Chas D. Eckels the Sureties on the appellants bond on appeal herein the sum of five hundred & 00/100 interest thereon at the rate 10 per cent per annum from date hereof $ 17.00 costs in the lower Court and costs in this Court taxed at $

3/14 The Am. Pedro Canal Co
vs
C. H. Williams

This Cause having been heretofore Argued by respective Counsel, submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises. It is ordered that the Judgement of the Lower Court be reversed: and that the Lower Court be instructed to set aside the Judgement and decree entered therein. and that the appellant The Am Pedro Canal Company be allowed to appear and defend in said Cause in said Court below. and that appellant have its costs incurred herein in this Court taxed at $26.50 from the appellee herein.

13. Vicente Romero
vs
United States
Ordered Set for Argument Tomorrow at 2 P.M.

14 George Price
vs
United States
Ordered Submitted on appellees brief being filed on January 15th.

110 County of Nevada
vs
George Nash
This Cause having been heretofore Submitted on Motion of appellee to dismiss and affirm and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the motion of appellee to dismiss be and the same is hereby granted and that the Judgement of the Lower Court be and the same is hereby affirmed. Costs. and it is further ordered that appellee herein recover from the appellant herein the sum of $114.75 the costs of the Court below. and the costs in this Court taxed at $ 1.50

111 The California Bridge Co.
vs
George Nash.
Ordered that this Cause be Continued for Term. by Consent

112 T. A. Heyenstaeber
vs
Isador Solomon et al
Motion to dismiss and affirm of appellee ordered Submitted.

120 Gustave Meyman et al
vs
J. D. Owen
Motion of Appellee to dismiss ordered submitted and appellant granted to January 20th to reply to motion.

4/14	Henry Dial vs Oscar Olsen et al	Appellant granted till Jany 18th to file Brief
4/04	W.F. McGinnis vs W.P. McGinnis	Ordered submitted on Appellant Brief
78	Geo. W. Hunter vs Territory of Arizona	Ordered set for argument Jany 2nd 2 P.M.
79	R.B. May vs Territory of Arizona	Ordered set for argument Jany 18th 2 P.M. His Hon Judge Hawkins disqualified not sitting
81	Wm R. Evans vs Territory of Arizona	Ordered that appellant have till Jany 18th to file Brief and be set for argument Jany 19th His Hon. Judge Hawkins disqualified. not sitting
363	H.A. Owen vs Johnston and et al	Ordered set for hearing Jany 18th.
366	T.E. Jordan et al vs John Duke et al	Ordered submitted on Briefs now on file. His Hon. Judge Hawkins disqualified not sitting
367	John Bishop vs E.B. Perrin.	Ordered submitted on Briefs now on file His Hon. Judge Hawkins disqualified. not sitting
369	John H. Martin vs The Intake Water Storage Co	Argued by C.W. Wright & W.M. Barnes for appellant and by R.H. Prentiss for appellee and submitted. His Hon Judge Owen disqualified not sitting.
391	W.S. Pruitt vs J.K. Brown	Argued by C.W. Wright for appellant and submitted.

84 Ofigio Miramonte
vs
Territory of Arizona
Ordered submitted

86 King Massey
vs
Territory of Arizona
Argued by Pierce Evans and E. J. Edwards for appellant and submitted

116 Thomas Davis
Appellant
vs
George F. Dodson
Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the Lower Court be and the same is hereby affirmed with costs and it is further ordered and adjudged that George F. Dodson appellee herein do have and recover of and from Thomas Davis the appellant herein and Ben Heney and Colin Cameron the Sureties on the bond on appeal herein his costs in this Court taxed at $90

It was ordered that the Court stand adjourned until tomorrow at 10 a.m.
January 17th 1894.

A. C. Baker Chief Justice
Associate "

In the Supreme Court. } January Term 1894.
Territory of Arizona. }

Wednesday Jany. 17th. The Court met at 10 Oclock A.M.

Present.

His Honor Albert C. Baker. Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rouse " "

Clerk J. J. B. Alexander.
United States Marshall by his deputy Ed. Metcalf.
United States Attorney F. C. Ellinwood.
Court Crier. J. S. Briggs.

The consideration of the rules of practice drafted by the Bar Committee was resumed by the Court. After the completion of the reading of the said rules, they were referred back to the said Committee for amendments as suggested by the Court and Bar during their consideration. With instructions that the said rules with the amendments suggested be reported back to this Court on Monday next.

The Court stood at recess until 2 Oclock P.M.

2 Oclock P.M.

The Court reconvened.

The following causes were considered and acted upon.

J. H. Martin
vs
The Santa Cruz Water Storage Co.

This Cause having been heretofore argued by respective Counsel. submitted and by the Court taken under Consideration and the Court having fully considered the same. and being fully advised in the premises. It is ordered that the Judgement of the lower Court be and the same is hereby affirmed with Costs. and the appellee do have and recover of and from the appellant herein and his sureties on the appeal bond herein Royal C. Johnson and W.m H. Barnes his costs in the lower Court and in this Court expended &c.

H. King Hussey
vs
The Territory of Arizona

This Cause having been heretofore argued and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the lower Court be and the same is hereby affirmed

84

Telegio Thiramonte
vs.
The Territory of Arizona

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court being fully advised in the Premises It is Ordered that the Judgement of the lower Court be and the same is hereby affirmed

394

Gila County appellant
vs
J. H. Thompson appellee

Justice Hawkins dissents from the opinion herein rendered.

This Cause having been heretofore argued by respective Counsel, submitted and by the Court taken under Consideration and the Court being fully advised in the premises It is Ordered that the Judgement of the lower Court be and the same is hereby reversed and remanded for new trial and it is further ordered that the appellant herein recover from the appellee herein its costs in the Court below together with its costs in this Court taxed at $17.50

393

The Person Real Estate etc Pima County
Delinquent list 1892
Walsh & Driscoll, pons. Paulsen objectors
vs
The Territory of Arizona appellee.

Justice Rouse dissents from the opinion of the Court so far as it relates to the taxing of unconfirmed land grants.

This Cause having been heretofore argued by respective Counsel, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the Lower Court be and the same is hereby affirmed with costs. Whereupon Appellants asked in open Court that they be allowed an appeal to the Supreme Court of the United States which ordered that they be allowed to take such appeal.

393

The Persons Real Estate etc Pima County
Delinquent list 1892.
Walsh & Driscoll. Objectors appellants
vs
The Territory of Arizona appellee

Justice Rouse dissented from the opinion of the Court herein rendered so far as it relates to the taxing of unconfirmed land grants.

This Cause having been heretofore argued, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the Court below be and the same is hereby affirmed with costs.

394

J. F. Kenney.
vs
Jennie Kenney et al.

The motion of appellant, for rule on the Clerk below

District Court of Cochise County to Certify up the Original records in this Cause to this Court. having been Heretofore Submitted and taken under Consideration by the Court and the Court having Considered the Same and being fully advised in the premises It is ordered that the said Motion be and the same is Hereby denied.

59 George Rice
vs
United States

It was ordered that the motion of United States Attorney herein filed for a Rule on the Clerk of the District Court of 3rd Jud. Dist. Maricopa County. to Certify up to this Court all the Records in the Lower Court in this Case. be and the same is Hereby granted and that the Clerk of said District Court be and he is Hereby ordered to Certify to this Court all of the Records in this Case in said District Court

56 Frank H. Howard
vs
Territory of Arizona

It was ordered that appellant have until tomorrow to file brief in reply to motion of the Attorney General to dismiss the appeal herein, and that said motion and reply be submitted with argument of the Case to be made this day.

On motion of Joseph Campbell Esq. It was ordered that John C. Hoffman having a license to practice in the District Court of the 3rd Judicial District of Arizona be admitted to practice in this Court. Upon taking the usual oath and signing the roll of Attorneys.

395 Iriana Walker etc.
vs
District Court 2nd Jud Dist.
County Pinal. Owen T. Rose Judge.

Ordered that the hearing in this Case be Continued until tomorrow afternoon

83 Vicente Romero
vs
United States

Argued by Ex. Edwards for appellant and by U.S. Attorney for appellee and submitted.

Ordered that The Court stand adjourned until tomorrow at 2 o'clock P.M.
January 18th 1894

A. C. Baker Chief Justice
Associate
" "

In the Supreme Court } January Term 1894
Territory of Arizona }

Thursday Jany 18th.

The Court met at 9 o'clock A.M.

Present.

His Hon. Albert C. Baker Chief Justice.
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Ross " "

Albert. J. C. Alexander
Court Crier J. J. Briggs
United States Marshal Cyrus deputy Ed. Metcalf
United States Attorney. E. E. Ellinwood

Consideration of the following Causes were had.

341. H. C. McDonald and J. H. Montgomery
vs
Hyman Ellis.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the appeal taken herein be and the same is hereby dismissed with costs. And it is further ordered that the appellee herein and Chas Goldman and Sol Goldman the parties on the appeal bond herein the [illegible] be and they are hereby discharged from the obligations of the said appeal bond and the sum & securities in the same above named the costs of this Court Taxed at $9.50

Bkr] John Bishop
vs
E. R. Ross

This Cause having been heretofore submitted and by the Court taken under Consideration and having fully considered the same and being fully advised in the premises, It is ordered that the Judgement of the Lower Court be and the same is hereby reversed and appellant remanded for New Trial, and that Appellant do have and recover from the appellee ~~and his Sureties~~ ~~to the appeal bond~~ herein his costs in the Court but not together with his costs in this Court Taxed at $ 2/.50

Bkr] Vicente Romero
vs
United States of America

This Cause having been heretofore argued and submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises. It is ordered that the Judgement of the Lower Court be and the same is hereby reversed and appellant remanded for New Trial.

415	Martin Allen vs. The Arizona Copper Co.	It was ordered that the Motion of appellant to supply dimension of record in this Cause be granted and that appellant have till Monday January 22 1894 at 2 P.M. to file certificate of clerk of the lower Court that assignment of errors in this Cause was filed in the Court below and to file affidavits or other proofs that such assignment of errors was deposited in the lower Court.
97	Charles King vs United States	Ordered that appellant be allowed until January 23rd to file brief and appellee have till Jany 26th to reply.
84	George Rice vs United States	Ordered that this Cause be set for hearing on Monday Jany 22nd 1894
317	The Board of Regents of the University of Arizona vs Mary Charlebois	Ordered that this Cause be submitted on briefs.
403	Ernie Pydon vs Territory of Arizona	Signed by U.R. English and Wm Barnes for Petitioner and by the Attorney General for the Territory and ordered submitted.
80	Daniel West vs Territory of Arizona	Ordered that appellant have until January 22 to file brief and that Cause be Considered as submitted
79	R.B. Way vs Territory of Arizona	Ordered that this cause be passed until Monday next.
405	The Santa Fe Prescott and Phoenix Railroad Company vs Joseph Murphy	Ordered that appellee have until Monday next to file brief and Cause be Considered as submitted. Justice Hawkins being disqualified not sitting here.

101	Thos J. Eaman vs Bashford & Burmister	Ordered that this Cause be Submitted on Briefs now on file. Justice Hamilton being disqualified not taking part.
102	Abram P. Hewitt vs Bashford & Burmister	Ordered that this Cause be Submitted on Briefs now on file. Justice Hamilton being disqualified not taking part.
106	The Agua Fria Copper Co vs Bashford & Burmister Co	Ordered that Appellee have until Monday next to file Brief. and be considered as submitted upon filing of such Brief.
107	The Santa Fe, Prescott & Phoenix R.R. Co vs J. J. Fisher et al	Ordered that this Cause be passed until Monday next.
41	Wm R. Evans vs Territory of Arizona	Ordered that this Cause be considered as submitted upon appellant filing Brief on January 19th inst.
114	The Florence Canal Co vs Thomas Davis	Ordered that Appellee have until Monday next to file Brief.
345	Juana Walker etc vs District Court 2nd Jud. Dist. Pinal Co. Ariz. Thos Judge	Ordered that this Cause be Continued until Monday next.
363	H. H. Owen vs John Howard et al	Argued by J. H. Wright for Appellant and by Harris Baldwin for Appellee and Ordered Submitted

It was ordered that the Court stand adjourned until tomorrow at 2 P.M.

A. C. Baker

Asst Justice

Associate

In the Supreme Court
Territory of Arizona

January Term 1894

Friday January 19th

Court met at 2 o'clock P.M.

Present

His Hon. Albert C. Baker Chief Justice
" " John J. Hawkins Associate "
" " Owen T. Ross " "

Robert J. F. B. Alexander.
Court Crier J. F. Briggs
United States Marshall by his Deputy Ed. Metcalf.
United States Attorney E. E. Ellinwood.

Absent.

His Hon. Richard E. Sloan.

Consideration of the following causes.

119	Santa Fe, Prescott & Phoenix R.R.Co. vs J. J. Fisher et al	Ordered that this Cause be passed until Monday next. and that appellee have until Wednesday next to file brief and Cause be Considered as submitted on Briefs
107	Santa Fe, Prescott & Phoenix R.R.Co. vs J. J. Fisher et al.	Ordered that appellee have until Wednesday next to file Brief and Cause be Considered as submitted on Briefs.
97	Lemmon Ring vs United States	Ordered that Motion of Appellant suggesting diminution of record be granted and that an order issue directing the Clerk of the District Court 3rd Jud. Dist. to certify up the Instructions given by the lower Court. Or to show cause etc.
3/8	Ah Chung vs Defendant	Ordered that this Cause be passed until Monday next.

It was ordered that this Court stand adjourned until tomorrow at 10 A.M.

A. C. Baker Chief Justice

In the Supreme Court
Territory of Arizona

January Term 1864

Saturday January 30th
The Court met at 10 A.M.

Present
His Hon. Albert G. Fuller. Chief Justice
" " John J. Hawkins Associate "
" " Grey T. Ferris " "

Clerk J. S. B. Alexander
Court Crier J. J. Briggs
Marcia Mules Marshal ex officio Deputy Ex Actuary

Absent
His Hon. Richard E. Ferry

Marcia Mules Attorney Ex Officio

Consideration of the following Causes were had.

3x2	David Bullen et al vs Adolph Tievison	Ordered that this Cause be Dismissed on Briefs. Now on file.
3x3	John H Evans vs Frank Ellenwood et al	Ordered that this Cause be Submitted on Briefs Now on file.
40	A. R. Turner vs Territory of Arizona	Ordered that this Cause be Submitted.
41	John Tyrell vs Territory of Arizona	Ordered that this Cause be Submitted

It was ordered that this Court stand adjourned until Monday January 31st 1864 at 10 A.M.

A. C Bayle Chief Justice
Associate "
" "

In the Supreme Court
Territory of Arizona

January Term 1894.

Monday January 22nd "

The Court met at 10 a.m.

Present.

His Hon. Albert C. Baker Chief Justice
" " John J. Hawkins Associate "
" " Owen T. Rouse. " "

Clerk, J. P. B. Alexander
Court Crier J. J. Briggs
United States Marshal by his deputy Ed. Meyers.

The Bar Committee to whom was referred the Rules of practice for amendments as suggested at the consideration of said Rules, on Wednesday last, reported back said Rules to this Court with the said amendments and by the Court were taken under consideration.

The Court Rose at recess until 2 o'clock P.M.

At 2 o'clock P.M. the Court reconvened.

Present. Their Honors. Chief Justice Baker, Associate Justices Hawkins, Rouse and Doan, and the Clerk.

The following causes were taken up and consideration thereof was had as follows.

No 3 H. A. Barnes appellant
vs
John Howard et al. appellees

This cause having been heretofore argued and submitted and by the Court taken under consideration and the Court having fully considered the same, and being fully advised in the premises, It is ordered that the Judgement of the lower Court be and the same is hereby affirmed, and it is further ordered that the Order of the lower Court holding said Judgement as a lien upon the property of the appellant herein be and the same is hereby vacated and the said lower Court is hereby instructed to vacate said order. And it is further ordered that judgement be rendered against the appellant herein for costs incurred in the Court below and his costs in this Court taxed at

No 3 Adolph Cohn
vs
A. J. Hepburn

Justice Doan being disqualified not taking part

The appellant by his attorney Wm H Barnes. presented his additional bond on appeal to this Court for the approval of the Court

and briefs was taken by the Court under consideration. It was then Ordered that appellants have five days to reply to appellees brief filed herein, and that the cause be submitted on the briefs filed

Mar

The Florence Canal Company
vs
Thomas Davis

Ordered that the motion of appellee to dismiss and affirm be submitted together with the cause on its merits.

Sc

Daniel West
vs
Territory of Arizona

Ordered that appellant have five days with to file brief Justice Hawkins being disqualified not taking part.

Mar 15

Martin Allen
vs
The Citizens Co[illegible].

Ordered that the time for filing by the appellant the certificate of the Clerk of the District Court concerning the assignment of errors in the case be extended until to morrow afternoon.

7

Geo. W. Hunter
vs
Territory of Arizona

Ordered that the motion of appellee to dismiss be submitted with the case

On motion of Webster Street Esq. It was ordered that J.J. Mahoriety who holds a license to practice from the District Court of the 3rd Judicial District for Maricopa County, be admitted to practice in this Court. Upon signing the roll and taking the usual oath.

On motion of Geo. D. Ray Esq. It was ordered that A.R. Hess who holds a license to practice from the District Court of the 3rd Judicial District for Maricopa County be admitted to practice in this Court upon signing the roll of attorneys and taking the usual oath.

7a

T. F. May
vs
Territory of Arizona

Ordered that the motion of appellee to dismiss be submitted together with the case.
Justice Hawkins being disqualified not taking part

3/5

The Pima
vs
Lot Smith

Argued by Webster Street and C. F. Edwards for appellant and by Chas Armstrong Jr. for appellee, and ordered submitted.
Justice Baker being disqualified not taking part.

Ordered that the Court stand adjourned until tomorrow at 9 A.M. January 23 1877

A. C. Baker Chief Justice
Associate "
" "

In the Supreme Court. } January Term 1894.
Territory of Arizona }

Tuesday January 23rd. The Court met at 2 o'clock P.M.

Present.

His Hon. Albert C. Baker. Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Reese " "

Clerk J. F. Bledsoe
Court Crier A. J. Briggs.
United States Marshal by Geo. deputy Ed. McKay

The following Causes were Considered

* 78 Geo. W. Hunter
vs.
The Territory of Arizona

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises.
It is Ordered that the Motion of the appellee in this Case be and the same is hereby Sustained and that the appeal herein be dismissed.

" 79 R. B. Mayo
vs
Territory of Arizona

This Cause having been heretofore submitted and by the Court taken Under advisement and the Court having fully Considered the same and being fully advised in the premises It is Ordered that the motion of the appellee to dismiss be sustained and the the appeal herein be dismissed and that the Clerk of this Court is hereby instructed to issue an order from this Court directed to the Sheriff of Mohave County Commanding said Sheriff to take the body of said R.B. May and deliver him into the Custody of the Superintendent of the Territorial Prison at Yuma Arizona Territory forthwith.

" 80 Frank H. Howard
vs
Territory of Arizona

This Cause, having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and

being fully advised in the premises. It is ordered that the motion of the appellee to dismiss be sustained and that the appeal herein be and the same is hereby dismissed

#108 L. & A. McGuinness vs C. P. McGuinness } Justice Baller took no part in the consideration of this case.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the lower Court be and the same is hereby affirmed, with costs and that appellee have and recover of and from the appellant herein and the sureties on his bond on appeal herein his costs in the Court below. Twist # and his costs in this Court taxed at #

#101 Jno. D. Caman vs Bashford & Burmister

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the Lower Court be and the same is hereby affirmed with costs and that the appellees have and recover from the appellant herein and his sureties on the appeal bond herein J.D. Gardiner and Hugo Richards the sum of # 9.50 the costs of appellees in this Court.

#103 Abram F. Hewitt vs Bashford & Burmister

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the Lower Court be and the same is hereby affirmed with costs and that the appellees herein do have and recover from the appellant herein and the sureties on the appeal bond herein J.D. Gardiner and Hugo Richards the sum of # 10.00 the costs of appellees in this Court.

#113 The Horace Land Co. vs Homer Davis

Appellant moved the Court that the appeal in this Case be dismissed and that he be allowed to withdraw the transcript on appeal in the Case. Ordered that the motion be taken under consideration.

#114 Thompking vs Minter Bates

Ordered that the appellant have leave to file the Instructions given by the Lower Court in this Cause.

#121 The Silver King Mining Co. vs Jesse Brown

Ordered that appellant have until January 27th to get and file the Bill of Exceptions in this Case from the Lower Court. and that Appellee be allowed to file his motion to dismiss and affirm.

#124 The Silver King Mining Co. vs Jesse Brown

Ordered that appellant have until January 27th to get and file the bill of exceptions in this Case from the Lower Court and that appellee be allowed to file his motion to dismiss and affirmed.

# 413	Martin Alley vs The Arizona Copper Co	Ordered that appellant be allowed to file affidavits concerning the filing of the assignment of error in this case in the Court below.
409	George Atkinson vs The Commissioners of Pinal	Ordered that appellee have until Jany 25th to file reply to brief of appellee and that the case stand submitted at the incoming of such reply brief.
# 90	M. B. Sumner vs Territory of Arizona	Ordered that the submission of this case be set aside and appellee be allowed until Jany 25th to file brief herein.
# 91	John Lyons vs Territory of Arizona	Ordered that the submission of this case be set aside and appellee be allowed until Jany 25th to file brief herein.
# 395	Juana Walker etc vs District Court 2nd Judicial District County of Pinal. Owen T. Rose, Judge	Argued by Mr. Pitch for Petitioner and Mr. Barnes for Respondent. Argument in this case was continued until tomorrow afternoon. for the suggestion of the Court.

It was ordered that this Court stand adjourned until tomorrow at 2 o'clock P.M. January 2nd 1894

A. C. Baker Chief Justice

" "

" "

In the Supreme Court
of Arizona

January Term 1894.

Wednesday January 24th.

The Court met. at 2 Oclock P.M.

Present.

His Hon. Albert C. Baker. Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Ramsey " "

Clerk J. F. B. Alexander
Court Crier J. J. Briggs
United States Marshall by his deputy Ed. Morgan.

The following Causes were Considered and acted upon.

Vol. The Agua Dulce Copper Co.
vs
Bashford, Burruster Co.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the Judgement of this Court below be and the same is hereby affirmed with Costs. and it is further ordered and that appellee do have execution from the appellant, and its proceeds for the appeal bond herein with interest and for all Costs

in this Court taxed at $ 11.30

Vol. T. C. Montgomery et al.
vs
Andrew E. Robinson et al.

The Motion of the appellees herein to dismiss and affirm having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the said motion be and the same is hereby sustained and that the appeal in this cause be dismissed

at the costs of the appellee herein and that appellee do have execution from the appellant and Sam Vaden his sureties on the appeal bond herein therefor and for all costs in this Court taxed at $ 5.50

Vol. 6 Daniel West
vs.
Territory of Arizona

Ordered that this Case be passed, until Tomorrow afternoon.

Vol. 1 Mary E. Cannon.
vs.
R. Bashford et Burruster.

Ordered that J. F. Wilson attorney for the appellant be allowed to take the transcript in this case from the Clerks office for the purpose of preparing this motion for rehearing in this Cause.

# 1104	William D. Hewitt vs Rushford & Rammmister	Ordered that H.B. Wilson Attorney for the appellant be allowed to take the Transcript in this Case from the office of the Clerk for the purpose of preparing his motion for Rehearing in this Cause.
# 395	Hanna Hatter plf vs District Court 2nd Judicial District. Pinal County. Owen D. Bowen Judge.	W.H. Barnes Esq. resumed his argument for the Respondents and Answered by Joseph Campbell for the Petitioner which was ordered to be submitted with the Case.

Ordered that the Court stand adjourned until 9 tomorrow at 7 P.M. January 25th Inst.

A. C. Baker Chief Justice

Associate "

In the Supreme Court
Territory of Arizona

January Term A.D. 1901.

Thursday June 27th
The Court met at 2 o'clock P.M.

Present:
His Hon. Clifford L. Baker Chief Justice
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Edwin S. Kent " "
Edw. S. Clark Clerk
Court Crier J. F. Griggs
United States Marshal by his deputy Ed Mc Carl
United States Attorney E. E. Ellinwood.

The following Cause were Considered and Acted upon.

340 Adolph Cohen
vs
C. J. Millan

The Sufficiency of the Bond on appeal filed in the Court below and the Supplemental bond filed in this Court by the Appellant having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. The Court finds that the original bond on appeal is sufficient as to form but not as to amount and the Supplemental bond is sufficient as to amount but not as to form. Therefore it is Ordered that Appellant have leave to file a sufficient bond herein and reply brief to Appellees brief herein on or before January 1st 1902 and that this Cause stand submitted on briefs at the filing of said bond and brief.

103 Ernest Fridow.
Habeas Corpus
vs
Territory of Arizona

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is Ordered that the writ herein issued be and the same is hereby denied and that Petitioner be remanded.

90	A. B. Turner vs Territory of Arizona	Ordered that this cause stand submitted on briefs
91	John Tyaff vs Territory of Arizona	Ordered that this Cause stand submitted on Briefs.
3qr	The Persons Real Estate etc. Delinquent List 1892 Pima Co. Main & Prisque Objectors. vs Territory of Arizona	Ordered that Francis J. Heney Attorney for appellant have leave to withdraw the transcript in this cause filed. after the ~~opinion of this~~ Court has filed its opinion in writing in this case.
73c	United States of America vs Solin Cameron	Ordered that the petition in this Cause be dismissed agreeable to the Mandate of the Supreme Court of the United States
Dec 17	The Florence Canal Co vs The Davis	At the request of appellee It was ordered that appellee have leave to withdraw his motion to dismiss and affirm herein. and this Cause stand submitted on its merits on the briefs on file.
Dec 21	The Silver King Mining Co vs Jesse Brown	Ordered that appellant have until Jany 24th 1894 to procure and file in this Court the transcript from the lower Court.
Dec 22	The Silver King Mining Co vs Jesse Brown	Ordered that appellant have until Monday next to procure and file in this Court the transcript from the lower Court.
Dec 24	Springfield vs Commercial Mining	Ordered that the submission of this Cause made heretofore be set aside and that the Case be set for oral argument at 10 o'clock tomorrow afternoon
30	Daniel West vs Territory of Arizona	Ordered that this Case be submitted on the appellants brief

385	The Arizona Gazette Co. vs H.C. Boone Auditor	Ordered that this Cause be set for trial on Monday next.
384	J.D. Kenneur vs Minnie Kenneur et al.	Ordered Continuing by agreement
97	Young Esq vs United States	Signed by H.A. Alexander, J.H. Woodward and R.P. McCabe for appellant and by the United States Attorney for appellee and order submitted.

Ordered that the Court stand adjourned until tomorrow at 2 O'clock P.M. January 26th 1914

A. C. Baker Chief Justice

Associate "

In the Supreme Court. January Term 1894.
Territory of Arizona

Friday January 26th. The Court met at 11 o'clock A.M.

Present.

His Hon. Albert C. Baker. Chief Justice.
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rouse " "
Clerk J. F. B. Alexander
Court Crier A. J. Briggs
United States Marshal by his deputy Ed. McGrath.
United States Attorney C. C. Bellmont.

The following Causes were considered and acted upon.

80 Daniel West.
vs
Territory of Arizona

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the lower Court be, and the same is hereby affirmed.

47 Thomas Ring
vs
United States of America

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the lower Court be and the same is hereby affirmed.

343 J. W. Evans appellant
vs
Francis Herreras William Brotherton and H. W. Ryder. Appellees.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgement of the lower Court be and the same is hereby affirmed with costs: and it is further ordered and adjudged that the appellees herein do have and recover from the appellant Raimond Espang and Wolfgang Espang and each of them the sum of Eight Hundred and no Dollars with interest thereon at the rate of Seven per cent per annum from the 23rd day of September A.D. 1893 until paid and their costs in this Court taxed at $ 11.50

387 David Bailey Etal Plaintiff-R. Bailey.
vs
Adolph Viebrock

Justice Baker taking no part in the decision of this Cause.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is hereby ordered that the Judgement of the Lower Court be and the same is hereby reversed and that this Cause be remanded for a new trial. and it is further ordered that appellants herein do have and recover from the appellee herein their costs incurred in this Court & below together with their Costs in this Court taxed at $28.00

84. Jack Booth. John Booth.
and Nick Booth. Appellants
vs
The Territory of Arizona
Appellee

The Judgement of the Lower Court having been reversed as to Nick Booth and John Booth and a new trial ordered therein and it appearing that the said Nick Booth and John Booth are now imprisoned in the Territorial Prison serving a sentence under said Judgement, It is therefore ordered by this Court that the Superintendent of the Territorial Prison on the production of a certified copy of this order by the Sheriff of Gila County deliver to said Sheriff the said Appellants Nick Booth and John Booth. and it is further ordered that the said Sheriff return said Nick Booth and John Booth to Gila County and that he there hold them in Custody until discharged according to law.

88 Harry Hancock
Appellant
vs
The Territory of Arizona
Appellee

The Judgement of the Lower Court having been reversed and a new trial ordered therein and it appearing that the said Harry Hancock are now imprisoned in the Territorial Prison serving a sentence under said Judgement, It is therefore ordered by this Court that the Superintendent of the Territorial Prison on the production of a certified copy of this order by the Sheriff of Gila County. deliver to said Sheriff the said Appellant Harry Hancock, and it is further ordered that the said Sheriff return said Harry Hancock to Gila County and that he there hold them in Custody until discharged according to law.

375 The Arizona Gazette Co
vs
W. L. Booth Auditor

On motion of Counsel for Petitioner it is ordered that the petition herein be dismissed without prejudice at Petitioners cost.

sq

George Rice
vs
United States

Ordered that Appellant have until tomorrow to file reply brief to the supplemental brief of Appellee and that case stand submitted on briefs.

On motion of E.E. Ellinwood Esq. It was ordered that Porter W. Herring holding a license to practice from the Supreme Court of Michigan be admitted to practice in this Court upon his taking the usual oath and signing the roll of Attorneys.

1/23

Thomas Carroll
Appellant
vs
John Goodwin
Appellee

On motion of J.J. Wilson and production of the certificate of the Clerk of the District Court of Navajo County. Certifying up to this Court. The Judgement of the Lower Court dismissing the appeal in said Court and a certified copy of the bond on appeal in said cause. It was ordered that the above entitled cause be entered upon the Calender upon such certificate and that appellee have leave to file motion to dismiss and that said motion when filed be submitted.

1 sq

George Riggs
vs
Common Council of Phoenix

Argued by Jo. Kibbey for appellant and by F.H. Chalmers for appellee. and ordered submitted

Ordered that the Court Stand adjourned until tomorrow at 10 o'clock A.M. January 27th 1892

A C. Baker (Chief) Justice
(Associate) "
" "
" "

In the Supreme Court
Territory of Arizona

January Term 1869.

Saturday January 2nd 1869 The Court met at 10 Oclock A.M.

Present

His Hon. Albert C. Baker Chief Justice
" " Richard E. Ream Associate "
" " John J. Hawkins " "

Clerk
Court Crier
United States Marshals Deputy

J. F. Alexander
A. J. Briggs
Ed Metcalf.

The following business was transacted.

The Court

vs

Appellant

J. J.

John Goodwin

Appellee

Appellants Motion to dismiss having been filed, was ordered submitted.

It was order. that the Court stand adjourned until Monday at 9 Oclock A.M. January 25th 1869

A. C. Baker Chief Justice
Associate "
" "

In the Supreme Court. } January Term 1894.
Territory of Arizona }

Monday Jany. 29th.

The Court met at 9 o'clock a.m.

Present.

His Hon. Albert C. Baker Chief Justice.
" " Richard E. Sloan Associate "
" " John J. Hawkins " "
" " Owen T. Rose " "

Attest
Chas. Grier
Clerk
United States Marshal by his deputy

J. F. Alexander
J. F. Briggs
Ed. McCarey

The following Causes were considered and acted upon

341 W. J. Smith
Appellant
vs
J. R. Brown
Appellee

Justice Rose dissented from the decision of the Court.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the lower Court be and the same is hereby affirmed with Costs

and it is further ordered and adjudged that the appellee herein do have and recover from the appellant herein and W. J. Smith and B. S. Baker his sureties on their appeal bond herein the sum of $

114 The Arizona Land Co. Appellant
vs
Henry Davis. Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the lower Court be and the same is hereby affirmed with Costs and it is further ordered and adjudged that the appellee herein do have and recover from the appellant herein and

Santiago Vargas Administrator with
the Annexed Will of Thos. Tully. deceased.
Appellant
vs
The New Mexico and Arizona Railroad Co.
Appellee

This Cause having been submitted and by the Court

taken under consideration and the Court having fully considered the same and being fully advised in the premises.
It is ordered that the Judgement of the lower Court be and the same is hereby affirmed with costs.

3/1/1

Dunlevy Mesa. administrator with Will
annexed of Frank Ely. deceased.

Appellant

vs.

The New Mexico and Arizona Railroad Co

Appellee

This cause having been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the lower Court be and the same is hereby affirmed with costs

Moses Correl

Appellant

vs.

John Goodwin

Appellee

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgement of the lower Court be and the same is hereby affirmed with costs. And it is further ordered that the appellee John Goodwin do have and recover and from Perrin Richey and J.M. Van Peen the sureties on the appeal and supersedeas herein the costs in this cause incurred by appellee taxed at $26.65

On motion of M. H. Williams Esq. & A. Grantham Esq. upon the introduction of evidence it is ordered that he be admitted to practice in this Court upon taking the usual oath and signing the roll.

The rules of Practice drafted by the Bar Committee for the Supreme Court, having been heretofore submitted for the consideration of the Court and for its adoption or the same. It is ordered that said rules to govern the practice in this Court be and the same are hereby approved and adopted and that the same be recorded at length in the Minute Book of this Court by the Clerk of the Court and it is further ordered that the United States Marshal is hereby instructed to have 250 copies of said rules printed in pamphlet form its size and style to conform to the size and style required for Briefs by said rules.

Rules
Of the Supreme Court of the Territory of Arizona.

Rule 1.

Transcripts. 1.

Amended March 8th 94 All transcripts of records in civil cases brought to this Court on appeal, or writ of error, shall be printed on white paper, eight inches by ten inches in size, in a neat and workman like manner, with pica type, or in type-writing, leaving a sufficient margin to permit its being bound together in book form, that is to say - fastened together only on the left hand side, and shall be so fastened.

Each tenth line thereof shall be plainly and consecutively numbered as a folio on the left margin of the page.

— 11 —

The transcript shall be chronologically arranged, shall be prefaced with an alphabetical index of its contents, specifying the folio of each separate paper, order, and the testimony of each witness, and shall have a cover.

— 111 —

Bills of exception and statements of fact may be consolidated into one and the same paper; but in all cases the same shall be in narrative form, tersely and succinctly stated.

Copies of all papers, vouchers, exhibits, motions, pleadings and orders, shall omit the venue of the Court, the title of the cause and the signature thereto; the object thereof being to discard immaterial matter; for example, in incorporating a motion for a new trial, or other papers the form that is herein recommended to be followed is as follows:

"And thereupon on. 189.. defendant filed his motion for a new trial as follows": and then insert the reasons assigned in the motion; all motions and demurrers that are inserted in transcripts of the record, shall only contain the reasons in such motion or demurrer. The body of all pleadings shall be copied in the transcript of the record totidem verbis, but the venue of the Court, the title of the cause, and the signature thereto, shall be omitted. Whenever any objection is made to evidence, or to any question propounded to a witness, in every such case the question and answer of the witness shall be inserted totidem verbis.

— 11 —

If the transcript be printed, there shall be six copies thereof filed with the Clerk. If it be in type-writing, there shall be four copies filed with the Clerk.

— 1 —

Whenever a master survey forms part of the transcript it shall not be necessary to furnish more than one copy thereof, which shall be annexed to the transcript filed with and certified by the Clerk, and references thereto shall be made in the other copies.

Rule 11.

Motions.

1.

All motions relating to informalities in the manner of bringing a case to this Court shall be filed with the Clerk on or before the second day of the term in which the transcript is filed, a copy thereof being served on opposing Counsel on or before the same day, otherwise the grounds of the objections shall be considered as waived, if it can be waived.

— 11 —

Motions to dismiss for want of jurisdiction of the Court, and for such defects as defeat the jurisdiction in the particular case, that can not be waived, are recommended to be filed on or before the second day of the term, a copy thereof to be served on the opposite party; but such motion may be made at any time, and shall be entertained by the Court after such notice to opposing Counsel as the Court may deem proper to be given under the circumstances.

— 111 —

Motions made to dismiss or defeat the jurisdiction of the Court, dependent on facts not apparent in the record, and of which the Court can not take judicial notice, must be supported by affidavit or other satisfactory evidence, copies of which must be served on opposing Counsel.

— 1V —

Motions will be called for hearing on the third day of the term, and be disposed of in their order.

— V —

No oral argument will be heard on motion, except in such cases as the Court may direct.

— V1 —

Whenever a motion is filed docket the same on the docket to be known as the motion docket, together with the name of the attorney that makes the motion, and the kind of motion made, any opposition in the way of answer to said motion shall be filed, and shall in like manner be numbered and noted in the Motion Docket, together with the names of the respective attorneys making and opposing any such motion.

— V11 —

There shall be no oral argument on motions for rehearing unless such argument is requested by the Court.

— V111 —

No motion for rehearing shall be amended except by leave of the Court.

Rule 111

Briefs and Arguments.

— 1 —

For the appellant or plaintiff in error, and for the appellee, or defendant in error, there shall be filed six copies of a brief or a brief & argument, with the Clerk of the Court. All briefs in civil cases shall be printed in pica type on white paper in pages eight inches wide and ten inches

Amended March 8, 1911

long, with an unfurnished margin of not less than one and one half inches in width:

— 11 —

The brief shall contain, in the order here stated:

1. A concise statement, or statement of the case, presenting succinctly the questions involved and the manner in which they are raised.

2. A specification of the errors relied upon, particularly and separately stated, setting out each error asserted and intended to be urged. When the error alleged is to the admission or the rejection of evidence; the specification shall quote the true substance of the evidence admitted or rejected. When the error alleged is to the charge of the Court the specification shall set out the part referred to totidem verbis whether it be to the instruction given or to the instruction refused. When the error alleged is to the finding of a Court the specification shall allege the finding and a sufficient statement of the evidence that is pertinent thereto as will make clear the reasons for or against the findings.

3. A brief of the argument, exhibiting a clear statement of the points of law or facts to be discussed, with a reference to the folios of the transcript of the record that are pertinent thereto, and the authorities relied upon in support thereof.

— III. —

The brief of the appellee, or defendant in error, shall be of a like character with that required of the Appellant, or plaintiff in error, except that no specification of error shall be required, and no statement of the case, unless that presented by the Appellant, or plaintiff in error, is controverted.

— IV. —

Whenever an appellant, or plaintiff in error, is in default, the appeal, or writ of error, may on motion be dismissed; and whenever an appellee, or defendant in error, shall be in default, he will not be heard, except on consent of his adversary, or by request of the Court.

— V. —

Within thirty days next after the appeal or writ of error is perfected, and the statement of facts and bill of exceptions have been made part of the record in the case, the appellant shall serve upon the attorney of the opposite party a copy of his brief, prepared in conformity with Rule II of this article; and within thirty days next thereafter counsel for appellee or defendant in error, shall serve upon the Counsel for appellant or plaintiff in error

a copy of his answer thereto; and within fifteen days next thereafter the Counsel for the appellant, or plaintiff in error, shall serve upon the Counsel for appellee, or defendant in error, his reply thereto, if one be filed.

—VI.—

Six copies of these briefs, so made and served, shall be filed with the Clerk of this Court, on or before the first day of the term to which such appeal, or writ of error, is returnable.

—VII.—

If the time given by Rule V. of this article, in which to make, serve and file such briefs, will not expire before the first day of the term of this Court to which the appeal, or writ of error, is returnable, then in every such case, either party to such appeal, or writ of error, may serve the other with written notice that such appeal, or writ of error, will be urged to a submission at the term to which it is returnable, in which event Counsel for appellant, or plaintiff in error, shall make and serve his brief, as hereinbefore required, within fifteen days next after the service of such written notice, and Counsel for appellee, or defendant in error, shall have a like time thereafter, in which to make and serve his answer thereto, and Counsel for appellant, or plaintiff in error, shall have five days next thereafter in which to make and serve his reply. And in all such cases, six copies of such brief, answer and reply shall be filed with the Clerk of this Court on the day succeeding that on which said reply is due to be served, unless such day shall fall on a holiday, and in that event the same shall be filed on the day following.

—VIII.—

In case any brief, answer or reply, shall not be served as provided in this article, or shall not be served in the time specified, then the Court may on motion strike such brief, answer or reply from the files of the Court, and Consider and decide the case as though such defaulting party had made no appearance in the Case, or may, in proper Cases, dismiss the appeal, or writ of error for want of due prosecution of the same.

—IX.—

In all cases where the briefs hereinbefore provided

for, shall have been filed, either party will be heard orally for such time as may be fixed by the Court, not to exceed one hour.

Rule IV

Service.

— I. —

Attorneys and guardians ad litem in the Court below will be deemed attorneys and guardians ad litem of the same parties in this Court until a substitution of record is made and service of all papers, notices, briefs, etc, may be made on such attorneys or guardians ad litem that were such in the Court below, until such substitution is made and notice thereof given to opposing Counsel.

Rule V.

Diminution of Record.

For the purpose of correcting any error or defect in the transcript, either party may suggest the same in writing, and upon good cause being shown, obtain an order, that the proper Clerk certify to this Court the whole or any part of the record, as may be required, or may produce the same duly certified, without such order. If the attorney of the adverse party be absent, or the fact of the alleged defect be disputed, the suggestion; except when a certified Copy of the omitted record is produced at the time, must be accompanied by an affidavit, showing the existence of the defect alleged.

Rule VI.

Assignment of Errors.

— I. —

All Assignments of Errors must distinctly specify each ground of error relied upon, and the particular ruling Complained of. If the particular ruling complained of has been embodied in a motion for a new trial with other rulings, or in any motion, or in a bill of exceptions, or in a statement of facts, or otherwise in the record, it must nevertheless be referred to in the assignment of errors, or it will be deemed to be waived.

— II. —

If the assignment of error, be that the Court overruled a motion for a new trial, and the motion is based upon more than one ground, the same will not be considered as distinct

and specific by this Court, unless each ground is separately and distinctly stated in the assignment of errors.

— III. —

An objection to the ruling or action of the Court below, will be deemed waived here, unless it has been assigned as error, in the manner above provided.

— IV. —

If the assignment of error, be, to the giving of instructions to the jury by the lower Court, the appellant must state wether the instruction complained of, is erroneous in its statement of the law applicable to the case or to any particular fact or facts thereof.

— V. —

If the refusal to give an instruction asked for, by the Appellant in the Court below, be assigned as error, the assignment must state the applicability of such instruction to the fact or facts of the case.

— VI. —

Assignment of errors shall not be amended in this Court.

Rule VII.

Costs.

Costs shall be allowed to the successful party by this Court, as follows:— For transcript of the record, the amount paid therefor to the Clerk of the District Court from which the transcript comes and the expense of printing or typewriting the Copies thereof; the costs of the Clerk of this Court, and the sum of one dollar per page of the brief of the successful party, not exceeding twenty dollars in any one case.

Rule VIII.

Appearance Fee.

Amended Motion for

In all civil cases the Appellant, or plaintiff in error, shall deposit with the Clerk of this Court ten dollars and the Appellee, or the defendant in error, five dollars.

The Clerk will not be compelled to docket any case, nor to file any paper until such appearance fee is paid. As soon as the amount so depasited shall not equal the costs in this Court of the party so depositing the same, then and in every such case the Clerk of this Court may call upon such party to make an additional deposit of a like amount, and until such ~~case~~

ditional amount be deposited, the Clerk will not be compelled to file any paper, or do any other thing in said Cause for the party that is so in default.

Rule IX.
Files.

No paper shall be taken from the office of the Clerk of this Court except by order of the Court.

Approved, Monday, January 29th 1894

A. C. Baker. C. J.
Richard E. Sloan. A. J.
Jno. J. Crawford A. J.
Conrad T. Reade. A. J.

It is ordered that the Court stands adjourned until to-morrow afternoon at 2 Oclock, January 30th 1894.

A. C. Baker Chief Justice.
Associate "
" "
" "

In the Supreme Court } January Term 1894
Territory of Arizona. }

Tuesday January 30th

The Court met at 2 o'clock p.m.

Present:—

His Honor Albert C. Baker. Chief Justice.
" " Richard E. Sloan. Associate "
" " Jno J. Hawkins " "
" " Owen T. Rouse " "
Clerk J. L. B. Alexander.
Court Crier J. H. Briggs.
United States Marshall by his deputy Ed. Metcalf

The following Causes were considered and acted upon

No 371 Jackson County Bank.
Appellant.
vs.
C. F. Ainsworth.
Appellee.

The motion for rehearing in this Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is ordered, that said motion, be, and the same is hereby denied.

No 342 The Southern Pacific Company
Appellant.
vs.
William McGill.
Appellee.

The motion for rehearing in this Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is ordered, that a rehearing in this Cause, be, and the same is hereby granted and that Appellant be given fifteen days to file and serve additional authorities herein, and that Appellee have

fifteen days thereafter to reply. And, it appearing to this Court that the remission of ten thousand dollars and interest of the judgment of the lower Court in said Cause was made and filed in this Court by said plaintiff solely because of and in compliance with the right of election given to said plaintiff by the former judgment of this Court and without any other consideration whatsoever;

It is therefor further ordered, on motion of Francis J. Heney, Attorney, for said plaintiff, that said remission of said sum of ten thousand dollars and interest of said judgment be and the same is hereby set aside, annulled and revoked, and the same is hereby declared to be of no binding effect whatever between the parties to said Cause; and said plaintiff is hereby granted permission to file in the Court a written revocation of said remission, which shall, when filed, have the same effect upon said remission as if the same had never been made or filed.

No. 343 Estate of John D. Walker, Deceased. Appellant. vs. A. J. Doran, Administrator Appellee

The motion for rehearing in this Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that a rehearing in this Cause, be and is hereby granted, and that appellant be given fifteen days to file and serve additional authorities herein, and that Appellee have fifteen days thereafter to reply.

No. 368 Arizona Lumber & Timber Company.
Appellant.
vs.
William Mooney.
Appellee.

The motion for rehearing in this cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered, that a rehearing in this Cause, be and is hereby granted and that Appellant be given fifteen days to file and serve additional authorities therein, and that Appellee have fifteen days thereafter to reply.

No. 328 San Pedro Cattle Company.
Appellant.
vs.
G. M. Williams.
Appellee.

The Motion for rehearing in this Cause having heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises; It is ordered, that a rehearing in this Cause, be, and is hereby granted and that Appellant be given fifteen days to file and serve additional authorities therein, and that Appellee have fifteen days thereafter to reply.

No. 424 In the matter of the Application of
Nos Boyle. for a writ of
Habeas Corpus.
vs.
Territory of Arizona.

The petition in this Cause for a writ of habeas corpus having been presented by J. C. Kellum Attorney for petitioner and by the Court taken under consideration and the Court having fully considered the same and been fully advised in the premises; It is ordered that the

Writ applied for herein, &c. and the same is hereby denied.)

No. 384 The Salt River Valley Canal Company,
Appellant.

vs.

P. K. Hickey.
Appellee.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is hereby ordered that the judgment of the lower Court, be and the same is hereby affirmed, and it is further ordered and adjudged that the appellee herein do have and recover from the appellant herein and Wm. Christy and J. Harbert, the sureties, on the bond on appeal herein, the sum of five hundred Dollars with interest thereon at the rate of seven per cent per annum from August 1st 1893 and fifty one 35/100 Dollars costs of lower Court and Costs of this Court taxed at $20.40

No. 395 Juana Walker, a minor;
by Rosetta Jones, her Guardian.
Petitioner.

vs.

The District Court, Second Judicial District, Territory of Arizona, in and for Pinal County, and Owen T. Rouse, Judge of said Court,
Respondent.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully Considered the same and being fully advised in the premises, It is hereby ordered that the writ of prohibition herein applied for, be and the same is hereby denied, with Costs of this Court taxed at $

No 407 Santa Fé, Prescott and Phoenix Rail Road Company.
Appellant.
vs.
John J. Fisher, John Houston and
Levi Bashford.
Appellees.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is hereby ordered that the judgment of the Lower Court be, and the same is hereby affirmed.

And, it is further ordered and adjudged the appellees herein, do have and recover from the Appellant herein, and R. H. Burnmister and J. L. Fisher, the sureties on the Appeal bond herein, the sum of $1820.55/100 and the Costs of this Court taxed at $

No 372 The Board of Regents of the
University of Arizona.
Appellant.
vs.
Mary Charlebois.
Appellee.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is hereby ordered that the judgment of the Lower Court be, and the same is hereby affirmed, and it is further ordered that the Appellee, Mary Charlebois do have and recover of and from the Board of Regents of the University of Arizona, Appellant, herein; and Oscar L. Gibbs and Charles Goldman, the Sureties on the Appeal bond herein the sum of Ninety eight 45/100 dollars, the Costs in the Lower Court, and the Costs of Appellee in this Court taxed at Thirteen 60/100 Dollars and accruing costs

No 256 Santa Rita Land and Mining Company.
Appellant.
vs.
F. Lillie Mercer.
Appellee:

The motion for rehearing herein filed having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is hereby ordered that said motion, &c, and is hereby denied.

No 419 Santa Fé, Prescott and Phoenix Railway Co.
Plaintiff.
vs.
J. J. Fisher, John Martini, J. U. Dougherty, R. McLing and Levi Bashford.
Defendants.
Certiorari.

This cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is ordered that the order of the lower Court authorizing the said plaintiff to take possession of the land mentioned in the Complaint in said Case and ordering that the money be held by the Clerk of the lower Court subject to the final determination of this cause on appeal &c, and the same is hereby vacated, and the lower Court is hereby directed to allow the defendants herein to take and receive the money paid in by the plaintiff herein in said Court and held by the Clerk of said lower Court amounting to eighteen hundred and twenty 80/100 Dollars.

The following order was made:—

'Whereas: J. L. B. Alexander, Clerk of the Supreme Court of the Territory of Arizona, has presented to the Court an account of services rendered by him for attendance on the Sessions of the Supreme Court as such Clerk, and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated; and it also appearing from the records of this Court that the days hereinafter mentioned, to-wit: January 9th, 10th, 11th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 22nd, 23rd, 24th, 25th, 26th, 27th, 29th and 30th, in the year 1894 and for which services is charged, the Court was opened for business, and business was actually transacted, and whereas said account appears to be just and according to law,

It is ordered that the said account amounting to the sum of One hundred and Ninety ($190.00) dollars be, and the same is hereby approved.

Done at Phoenix, the Capital of the Territory this 30th day of January, A.D. 1894.

A. C. Baker. Chief Justice
Richard E. Sloan Associate "
Jno. J. Hawkins " "
Owen T. Rouse. " "

The following order was made and ordered entered:—

'In the Supreme Court of the
Territory of Arizone. } January Term, A.D. 1894.

'In the matter of an adjourned term.

'It is hereby ordered that an adjourned term of this Court be held at the City of Prescott in the Territory of Arizona beginning on the first Monday in July, 1894.

This order is made in furtherance of Section 1934 of the Revised Statutes of the United States

'And, it is furthermore directed, that this order be entered in the minutes of this Court.

Dated, Phoenix, A.T. } A. C. Baker. Chief Justice.
January 30th 1894 } Richard E. Sloan. Associate "
Jno. J. Hawkins. " "
Owen T. Rouse. " "

It was ordered that the Court stand at recess until 2 o'clock p. m. March 7th 1894

A. C. Barker Chief Justice

" Associate "

" "

" "

In the Supreme Court } January Term, 1894.
Territory of Arizona. }

Wednesday, March 7th 1894

The Court met at 2 o'clock P.M.

Present:—

His Honor Albert C. Baker, Chief Justice.
" " Jno. J. Hawkins. Associate "
" " Owen T. Rouse " "
United States Marshall U. K. Meade.
" " Attorney E. E. Ellinwood.
Clerk J. L. D. Alexander.
United States Bailiff Ed. Metcalf.

The following business was transacted:—

It was ordered that J. W. Blankenship be appointed Crier of this Court during this session of the Court.

The following order was made and the Clerk directed to furnish a certified Copy of the same to the United States Marshall, "The United States Marshall is hereby directed to secure suitable rooms Convenient to the Court House in this City for Chambers for the Judges of this Court and the Clerk's office, and that he furnish the same.

It was ordered that the Court stand at recess till to-morrow at 10 o'clock A.M. January 8th 1894.

A. C. Baker, Chief Justice.
Associate "
" "

In the Supreme Court
Territory of Arizona } January Term, 1894.

Thursday, March 8th

The Court met at 10 o'clock A.M.

Present:—

His Honor Albert C. Baker, Chief Justice
" " Richard E. Sloan. Associate "
" " Jno. J. Hawkins " "
" " Owen T. Rouse. " "
Clerk, J. L. B. Alexander.
United States Marshall W. K. Meade.
" " Attorney E. E. Ellinwood.
" " Bailiff Ed Metcalf.
Court-Crier J. W. Blankenship.

The following business was transacted;—

On motion of Jerry Millay Esq., D. M. Dameron, Esq. be admitted to practice in this Court upon a license of the Supreme Court of California upon his signing the roll and taking the usual oath.

On motion of Frank Cox, Esq. Alfred M. Franklin be admitted to practice in this Court upon a license of the Supreme Court of California upon his signing the roll and taking the usual oath.

On motion of W. H. Barnes, Esq. Jos. H. Hibbey be admitted to practice in this Court upon his signing the roll and taking the usual oath.

It was ordered that amendments to the Rules of Practice of this Court, approved January 29th, 1894, be made as follows:—
Amend Rule I, as follows: Insert the words, "not exceeding a second impression and" after the words "writing" and between the word "leaving" in line 5 of said Rule.
Amend Rule III, Subdivision I, so as to read, as follows:—"For the Appellant or plaintiff in Error and for the appellee or defendant in error there shall be filed six copies of a brief or a brief and argument with the Clerk of the Court, which shall be either printed or type-written, and all briefs in Civil Cases when printed shall be in pica type on white paper not to exceed in length nine and one eighth inches, in width six inches with uniform margin of one inch and two eighths inches. Type written briefs shall be of the same size and

shall not exceed Second impression copies. All briefs shall be in pamphlet form and with covering upon the back only." Rule VIII, is amended so as to read "twenty" instead of "ten" in the second line and "ten" instead of "five" in the third line.

#381 H. C. McDonald et al.
Plaintiff in error
vs.
Hyman Ellis.
Defendant in error
} Ordered that the motion to affirm of defendant in error be submitted and continued until the July term of the Court

#347 Southern Pacific Company.
Appellant.
vs.
William McGill
Appellee.
} Ordered that this cause be continued until the July term of this Court.

#87 Jack Booth.
Appellant.
vs.
Territory of Arizona
Appellee.
} Ordered that the petition of appellant for rehearing in this cause be denied.

353½ In Personam, Real Estate, etc.
Delinquent List, Pima County,
1892.
D. H. Stanford, Objector.
Appellant.
vs.
Territory of Arizona
Appellee.
} Ordered that the petition of Appellant for rehearing in this cause be denied.

#372 In Board of Regents of the University of Arizona.
Appellant.
vs.
Mary Charleboris
Appellee.
} Ordered that the petition of appellant for rehearing in this cause be denied.

*374	San Pedro Cattle &c. Appellant. vs. G. M. Williams. Appellee.	Ordered that the petition of Appellee for rehearing in this cause be denied.
*383	J. M. Craven. Appellant. vs. Frank Glencross et al. Appellees	Ordered that the petition of Appellant for rehearing in this Cause be denied.
*384	The Salt River Canal Co. Appellant. vs. P. K. Hickey Appellee.	Ordered that the petition of Appellant for rehearing in this Cause be denied.
*391	M. J. Smith. Appellant. vs. J. K. Brown et al. Appellee	Ordered that the petition of Appellant for rehearing in this Cause be granted
*378	San Pedro Cattle Co. Appellant. vs. G. M. Williams. Appellee.	Ordered that this cause be continued until the July term of this Court.
*343	Estate of John D. Walker, deceased Appellant. vs. A. J. Doran, Administrator, Appellee.	Ordered that this cause be continued until the July term of this Court

#365 Arizona Lumber & Timber Co.
Appellant.
vs.
William Mooney.
Appellee.

Ordered that this cause be continued until the July term of this Court.

The Court took a recess until 2 o'clock P.M.
After recess the Court reconvened.)

The Amended Rules of Practice of this Court were signed, and It was ordered that the Clerk transmit a Copy of the Same to the West Publishing Company with the request that they publish the rules in the Pacific Reporter and that he also have the Same printed in pamphlet form to conform in Size, and Style to the printed briefs required by said rules.

#81 Wm. R. Evans.
Appellant.
vs.
Territory of Arizona.
Appellee.

This Cause having heretofore been submitted and by the Court taken under Consideration and the Court having fully Considered the Same and having been fully advised in the premises, It is ordered that the judgment of the lower Court be and the same is hereby affirmed.

#405 Santa Fe, Prescott & Phoenix Railway Co. Appellant.
vs.
Joseph Moseley.
Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully Considered the Same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed and the Cause remanded for a new trial, and it is further ordered, adjudged and decreed that the Appellant herein, have and recover of and from the Appellee herein his Costs in this Behalf taxed at $23.80

#378

Wm Christy.
Appellant.

vs.

Delos Arnold
Appellee.

Justice Reese dissents.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the Same and being fully advised in the premises It is ordered that the judgment of the lower Court be, and the Same is hereby affirmed, and it is further ordered, adjudged and decreed that Delos Arnold, the Appellee herein, do have and recover of and from the said Wm Christy, the appellant herein, and O. H. Christy and J. M Christy the sureties on the Appeal bond herein, the Sum of $3.200.00 with interest thereon at the rate of (said) Seven per Cent per annum from the 3rd day of July, 1893, and the Costs of Appellee in the lower Court in the Sum of $139.69 and his Costs in this Court taxed at $22.80 } Twenty two 80/100 Dollars

#380

The Mutual Life Insurance Co.
of New York, a Corporation.
Appellant.

vs.

Edward Ashelger, Administrator,
of the Estate of Alexander Graydon,
deceased. Appellee.

This Cause having been heretofore submitted, and by the Court taken under Consideration and the Court having fully Considered the Same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the Same is hereby reversed and the Cause remanded for a new trial, and it is further ordered, adjudged and decreed that the Appellant herein, have and do recover from the Appellee herein his Costs in this Court taxed at $33.50

#390 Adolph Cohn.
Appellant.
vs.
A. J. Mehan, et al.
Appellees

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby affirmed and it is further ordered, adjudged and decreed that the Appellees herein, A. J. Mehan, DeWitt C. Turner, Bell H. Chandler, F. C. Fisher and Angela Dias de Delay do have and recover of and from the Appellant herein Adolph Cohn and his Sureties David Cohn and S. Feibleit on the appeal bond herein the sum of $91.55 their costs in the Court below and the further sum of $ being costs in this cause.

#366 H. E. Jordan, et al.
Appellants
vs.
John Decke, et al.
Appellees.

This Cause having been heretofore submitted, and by the Court taken under Consideration and the Court having fully Considered the same, and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed and Cause remanded for a new trial, and it is further ordered, adjudged and decreed, that the appellants herein, have and do recover of and from the Appellees herein their costs in this Court taxed at $28.70.

#409 George Fifield.
Appellant.
vs.
The Common Council of the City of Phoenix.
Appellee

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the Same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the Same is hereby affirmed and it is further ordered, adjudged, and decreed that the Common Council of the City of Phoenix, the appellee herein, do have and recover of and from George Fifield the Appellant herein, and D. L. Beasley and C. J. Boyer, the sureties on the appeal bond herein, the sum of $ the costs in the Court below, and the further sum of $20.50 its costs in this Court.

#89 George Price.
Appellant.
vs.
The United States.
Appellee.

This cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed, and Appellant remanded for a new trial.

#90. H. B. Turner.
Appellant.
vs.
Territory of Arizona.
Appellee.

This cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed and Appellant remanded for a new trial.

#91 John Lyall.
Appellant.
vs.
Territory of Arizona
Appellee.

This cause having heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed and Appellant remanded for a new trial.

#92 Chung Sing.
Appellant.
vs.
The United States.
Appellee.

It is ordered that the petition for rehearing of Appellant in this cause be denied.

#411

Henry Dial.
Appellant.
vs.
Oscar Olson, et al.
Appellees.

This cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be, and the same is hereby reversed and Cause remanded for a new trial, and it is further ordered, adjudged and decreed that Appellant herein do have and recover of and from the Appellee herein, his costs in this Court taxed at $23.50

#85

Frank H. Howard.
Appellant.
vs.
Territory of Arizona
Appellee.

Ordered that the petition of Appellant for rehearing be denied.

#352

David Daly, et al.
Appellants
vs.
Adolph Siebenau.
Appellee.

Ordered that the petition of Appellee for rehearing be denied.

#392

The Persons, Real Estate and Property described in the Delinquent List of Pima County for the year 1892.
McGrath & Driscoll, Objectors.
Appellants.
vs.
Territory of Arizona.
Appellee

Ordered that the petition of Appellant for rehearing be denied.

#401

Thos. F. Cannon.
Appellant.
vs.
Bashford & Beemister.
Appellees

Ordered that the petition of Appellant for rehearing be denied.

#402 Abram S. Hewitt.
Appellant.
vs.
Bashford & Burmister
Appellees

Ordered that the petition of Appellant for rehearing be denied.

#420 Gustave Heyman, et al.
Appellants.
vs.
J. F. Owen.
Appellee.

Ordered that this cause be continued until the July term of this Court.

#415 Martin Allen.
Appellant.
vs.
The Arizona Copper Co. (Limited)
a corporation;
Appellee.

On motion of Francis J. Heney, Attorney for Appellant, it was ordered that this cause be dismissed at the Appellant's Costs.

#359 J. D. Kinnear.
Appellant.
vs.
Jennie Kinnear, et al.
Appellees.

Ordered that this cause be continued until the July term of this Court.

#421 The Silver King Mining Co.
Appellant
vs.
Jesse Brown.
Appellee.

Ordered that this cause be continued until the July term of this Court.

#422 The Silver King Mining Co.
Appellant.
vs.
Jessie Brown.
Appellee.

Ordered that this cause be continued until the July term of this Court.

#412 The Florence Canal Co. Appellant. vs. Thos. Davis. Appellee. } Appellant moved the Court for leave to file Motion for rehearing in this Cause. Ordered that motion be denied. Whereupon Appellant gave notice of Appeal to the Supreme Court of the United States.

#380 The Mutual Life Insurance Co, a corporation. Appellant. Edward Arbelger, Administrator of the Estate of Alexander Graydon, deceased. Appellee. } Application of Appellant for 30 days time within which to file petition for rehearing in this Cause was denied.

The following order was made by the Court:

It is hereby ordered that the United States Marshall furnish the Clerk of this Court a Motion Docket and Register for the use of the Court.

It was ordered that the Court stand adjourned until to-morrow at 2 o'clock P.M., March 9th, 1894.

A. C. Baker Chief Justice.
" Associate.
" "
" "

In the Supreme Court }
Territory of Arizona. } January Term, 1894

Friday, March 9th.

The Court met at 2 o'clock P.M.

Present:—

His Honor Albert C. Baker — Chief Justice.
" " Richard E. Sloan — Associate "
" Clerk: J. L. B. Alexander.
United States Marshall, W. K. Meade.
" " Bailiff Ed. Metcalf
Court Crier, J. W. Blankenships.

The following business was transacted.

Ordered that the Court stand adjourned sine die.

A. C. Baker Chief Justice
Associate " "
" "
" "

In the Supreme Court.
Territory of Arizona. } July Term 1894.

Monday July 2nd 1894.

The Court met at 10 o'clock A.M. in the Court Room at the city of Prescott, Arizona Territory, pursuant to an order of January 30th 1894.

Present, His Hon'r Jno J. Hawkins Associate Justice.
J.V.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney.
W.R. Meade U.S. Marshall by Jas R. Fowrey deputy.

Absent. His Honor A.O. Baker. Chief Justice
" " Owen T. Rouse Associate Justice
" " J.P. McBrine " "

The Court having been duly opened by the Marshall. The Court took a recess until 2 o'clock P.M.

2 o'clock P.M.

The Court reconvened after recess.

Present. His Honor Justice Hawkins, the Clerk. The U.S. Attorney, and U.S. Marshall by his deputy. Jas. R. Fowrey

Owing to the absence of the Chief Justice and Associate Justices, Rouse and McBrine, It was ordered that the Court stand adjourned until tomorrow Tuesday July 3rd 1894 at 10 o'clock A.M.

A.O. Baker Chief Justice
Jno J. Hawkins Associate "
" "
" "

In the Supreme Court. } July Term 1894
Territory of Arizona } Prescott. Tuesday July 3rd 1894

The Court met at 10 A.M.
Present, His Honor. Jno. J. Hawkins Associate Justice.
J.F.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney.
W.H. Meade U.S. Marshall by his deputy Jas R Lowrey.

Absent. His Honor A.C. Baker Chief Justice.
" " O.S. Rouse Associate "
" " J.D. Bethune " "

The Court was duly opened by the Marshall.
The Chief Justice and Associate Justices Rouse and Bethune. not having yet arrived It was ordered that the Court stand adjourned until Thursday July 5th 1894 at 10 Oclock A.M.

A C Baker Chief Justice
Jno J Hawkins Associate "

In the Supreme Court.
Territory of Arizona } July Term 1894
Prescott. Thursday. July. 5th 1894.

The Court met at 10 A.m.
Present. His Honor Jno. J. Hawkins Associate Justice
J. F. B. Alexander Clerk.
E. E. Ellinwood U.S. Attorney.
W. H. Meade U.S. Marshall By his deputy Jas. R. Fourney

Absent.
His Honor A. C. Baker. Chief Justice
" " O. F. Rouse Associate "
" " J. D. Berthume " "

The Court was duly opened by the Marshall.
Owing to the absence of the Chief Justice, and Associate Justices Rouse and Berthume. who have been detained on their way to Prescott. on account of the Railroad Strike.
It was ordered that the Court stand adjourned until tomorrow Friday July. 6th 1894 at. 10 oclock A.m.

A C Baker Chief Justice
Jno J Hawkins Associate "
" "
" "

In the Supreme Court. }
Territory of Arizona. }

July Term 1894.

Prescott. Friday July 6th 1894.

The Court met at 10 o'clock A.M.

Present. His Honor. Jno J. Hawkins Associate Justice.
" " F.T.13. Alexander Clerk
" " E.E. Ellinwood U.S. Attorney.
" " W.K. Meade U.S. Marshall by his deputy Jas R. Fowrey.

Absent. His Honor. A.O. Baker Chief Justice
" " O.F. Rouse Associate "
" " J.P. Bethune " "

The Court was duly opened by the Marshall
The Chief Justice and Associate Justices Rouse and Bethune, having yet arrived
It was ordered that the Court stand adjourned until tomorrow Saturday
July 7th 1894 at 10 o'clock A.M.

A C Baker Chief Justice
Jno J. Hawkins Associate "
" "
" "

In the Supreme Court. }
Territory of Arizona } June Term

Prescott, Saturday, June 7th, 1894.

The Court met at 10 O'Clock A.M.

Present His Honor Jno. J. Hawkins Associate Justice.
J.F.B. Alexander Clerk
H.E. Collinwood U.S. Attorney.
W.N. Meade U.S. Marshall by his deputy. Jas R. Fourney.

Absent His Honor A.C. Baker. Chief Justice
" " O.S. Rouse Associate "
" " J.D. Berthume " "

The Court having been duly opened by the Marshall and the Chief Justice and Associate Justices Rouse and Berthume, still being detained by reason of the Railroad strike, and unable reach Prescott. It was ordered that the Court stand adjourned until Monday, July 9th 1894. at 10 O'clock A.M.

A.C. Baker Chief Justice
Jno J Hawkins Associate "
" "
" "

In the Supreme Court } July Term 1894.
Territory of Arizona }

Prescott, Monday, July 9th 1894.

The Court met at 10 Oclock A.M.

Present. His Honor. A.C. Baker Chief Justice
" " Jno. J. Hawkins Associate "
" " J.D. Bethune " "
J.F.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney
H.K. Meade U.S. Marshall by his deputy Jas R. Fowrey.

Absent. His Honor. O.T. Rouse Associate Justice.

The Court was duly opened by the Marshall.

No business being presented for the consideration of the Court. at this time It is Ordered that the Court stand adjourned until tomorrow Tuesday July 10th 1894 at 10 Oclock A.M.

A.C. Baker Chief Justice
Jno J. Hawkins Associate "

" "

In the Supreme Court
Territory of Arizona

July Term 1894.

Prescott. Tuesday July 10th 1894

The Court met at 10 O'clock A.M.

Present. His Honor A.C. Baker Chief Justice
" " Jno. J. Hawkins Associate "
" " J.D. Bethune " "
F.J.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney
H.K. Meade U.S. Marshall by his deputy Jas R. Fowler.

Absent. His Honor. O.F. Rusie Associate Justice

The Court was duly opened.

Upon motion of Webster Street Esq. leave was granted him to file at this time transcripts on appeal from Gila County, in the following cases, viz:

No. 139 Gila County Appellant vs. J.M. Thompson et als. Appellees.
" 140 Gila County " " J.M. Thompson " " "
" 141 Edward M. Foote et als. " " Gila County "

317 Southern Pacific Co.
Appellant
vs.
Wm McGill
Appellee

On motion of Frank Fox Esq. It was ordered that appellant have leave at this time to file brief on reargument of said cause

381. M.L. McDonald et al.
Appellants
vs.
Hyman Ellis
Appellee

On motion of C.C. Jones for appellee it is hereby ordered that the Order made in this Cause. Denying the Petition heretofore issued be and the same is hereby set aside

On motion of J.J. Wilson Esq. It was ordered that Henry D. Andrews. be admitted to practice in this Court. upon his signing the roll. and taking the usual oath. He having a license from the District Court. of Maricopa County. Arizona.

On motion of J.M. Johnston Esq. It was ordered that Richard J. Hartman be admitted to practice in this Court upon his license of the District Court of Maricopa County, Arizona. on his signing the roll of attorneys and taking the usual oath.

No. 96. In the matter of the Application of P.M. Lynch for a writ of Habeas Corpus. vs. The United States.

The Application for a writ of Habeas Corpus. in this Cause having been presented to this Court. by R.E. Sloan and H.D. Ross. Counsel for the petitioner and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that a writ issue as prayed for. directed to the United States Marshall for Arizona and that said writ be made returnable before this Court. at 2 O'clock P.M. July 10th 1894.

No. 97 In the matter of the application of Thos. Jackson, for a writ of Habeas Corpus. vs. The United States

The Application for a writ of Habeas Corpus in this Cause having been presented to this Court by R.E. Sloan and H.D. Ross. Counsel for the petitioner herein and by the Court taken under Consideration and the Court having considered the same and being fully advised in the premises, It is ordered that a writ issue as prayed for, directed to the United States Marshall for Arizona and that said Writ be made returnable before this Court at 2 O'clock P.M. July 10th 1894.

No. 98 In the matter of the Application of Chas Daline for a writ of Habeas Corpus
vs
The United States

The application for a writ of Habeas Corpus in this cause having been presented to this Court by R.E. Sloan and A. D. Ross. Counsel for the petitioner herein and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises, It is ordered that a writ issue as prayed for, directed to the United States Marshals for Arizona and that said Writ be made returnable before this Court at 2 O'clock P.M. July 10th 1894.

No. 178. The Arnold Gold and Silver Mining Co. et als.
Plaintiffs in Error
vs
A. O. Bowen
Defendant in Error.

On motion of J.H. Wright, the Defendant in Error was granted leave to file his motion to dismiss. at this time.

It is hereby ordered that the Court stand adjourned until 2 O'clock this afternoon

2 O'clock P.M.

The Court convened after recess.

No. 96-97-98 In the matter of the application of. Thos Jacobson. D.M. Cynch and Chas Daline for writs of Habeas Corpus.
vs
The United States

The United States Marshals having made return on the writs issued in behalf of the petitioners herein respectively, and having produced the bodies of said petitioners before the Court. R.E. Sloan and A. D. Ross. appeared for and argued for the petitioners and C.C. Ellinwood U.S. Attorney and J.H. Herndon appeared and argued for The United States Whereupon it was ordered that the hearings be continued until tomorrow at 9 O'clock A.M. in order that the petitioners may have time to prepare and present to the Court the record of the proceedings had in the Court below. in the cases.

No. 117

The Florence Canal Company.
Appellant
vs.
Thos Davis
Appellee.

On motion of Francis J. Kenny, Esq. It was ordered that the Clerk, Correct the Judgement rendered by this Court at the January Term 1894. in the above entitled Cause. by making said Judgement so run against the parties on the appeal bond therein for the costs of the appellee. Herein in the Court below. amounting to $74.40 and the costs of this Court taxed at $16.00 and issue anew remittitur therefor.

It is Hereby ordered that the Court Stand adjourned until tomorrow July 11th 1894 at 9 O'clock A.M.

A C Bach Chief Justice
Associate "
" "
" "

In the Supreme Court
Territory of Arizona.

June Term 1894.

Prescott. Wednesday June. 11th 1894.

The Court met at 9 O'clock A.M.

Present. His Honor. A.C. Baker Chief Justice
" " Jno J. Hawkins Associate "
" " J.D. Bethune " "
J.J.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney
H.K. Meade U.S. Marshall. by his deputy J.R. Lowery.

Absent. His Honor. O.F. Rose. Associate Justice

The Court was duly opened.

No. 46-97-98 In the matter of the application of
Thos Jackson, D.M. Lynch and Lohao Daline.
for writs of Habeas Corpus respectively
Vs.
The United States.

The petitioners herein being present in person and respectively represented by R.E. Sloan and A.D. Ross. their Counsel. and the United States being represented by the U.S. Attorney and J.L. Herndon, The petitioners herein respectively filed their affidavits, traversing the return of the Marshall on the writs issued in their respective cases. Whereupon Counsel for the Government presented and filed a demurrer to the said affidavits respectively, which was argued and by the Court over ruled. as to first clause and, sustained as to the second Clause of such said affidavits, Counsel for petitioners presented and submitted to the Court. the record. of the proceedings. had in the lower Court. concerning them respectively after; Arguments respective Counsel. the Cases were submitted.

It was ordered that the Court stand at recess. until 2 O'clock this afternoon

After recess the Court reconvened.
Present His Honor. A.C. Baker. Chief Justice
" " Jno. J. Hawkins Associate "
" " J.D. Bethune " "
Also the Clerk. U.S. Attorney and U.S. Marshall.

No. 96. In the matter of the application of P.M. Lynch for a writ of Habeas Corpus. vs The United States of America

This Cause having been heretofore heard and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is hereby ordered that the writ herein prayed for be and the same is hereby denied and the prisoner P.M. Lynch be remanded.

No 97 In the matter of the application of Thos Jackson for a writ of Habeas Corpus vs The United States of America

This Cause having been heretofore heard and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is hereby ordered that the writ herein prayed for be and the same is hereby denied and the prisoner Thos Jackson be remanded.

No. 98 In the matter of the application of Chas Daline for a writ of Habeas Corpus vs The United States of America

This Cause having been heretofore heard and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the writ herein prayed for, be and the same is hereby denied and the prisoner Chas Daline be remanded.

Marshall In the matter of furnishing the Clerk of the Court. for the use of the Court. with a book to enter the names of persons admitted to practice in the Supreme Court. and with a register book for criminal actions. It is hereby ordered that United States process and writs to the Clerk of this Court. two Register books for the use of the Supreme Court. of Arizona

In the matter of the allowance of the Clerk for fees; the following order was made.
Whereas J.F.B. Alexander Clerk of the Supreme Court of the Territory of Arizona has presented to this Court his account of services rendered by him for attendance on the sessions of the Supreme Court as such Clerk, and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated, and it also appearing from the records of this Court that the days hereinafter mentioned, Viz: January, 9th 10th 11th 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29 and 30. March 7, 8, and 9. and July 2, 3, 5, 6, 7, 8, 9, 10 and 11. in the year 1894, and for which services are charged, the Court was opened for business, and whereas said account appears to be just and according to law, It is ordered that the said account amounting to the sum of One hundred and fifty 90/100 Dollars. be and the same is hereby approved.

A. O. Baker Chief Justice
Jno. J. Hawkins Associate Justice
J. D. La Rue Associate Justice.

It was ordered that the Court stand adjourned Sine die.

A C Baker Chief Justice
Associate "
" "
" "

Supreme Court } January Term 1895.
Territory of Arizona }

Phoenix. Monday 14th 1895.

The Court met at 10 o'clock A.M.

Present.

His Honor A.O. Baker Chief Justice
" " O.H. Rouse Associate "
" " J.J. Stanford " "
" " J.D. Berkhimer " "
J.F. Alexander Clerk
U.S. Marshal W.K. Meade
U.S. Attorney E.E. Ellinwood
U.S. Bailiff J.F. Briggs
Court Crier J.D. Martin

The following Matters were considered and acted on by the Court.

On motion of J.J. Moriarity It was ordered that J.H. Powers be admitted to practice in this Court. Upon taking the required oath and signing the Roll of Attorneys he having exhibited a license to practice in the Supreme Court of Iowa.

It was ordered that the Court take recess until 2 o'clock P.M.

2 o'clock P.M.

Present. the Chief Justice and all the Associate Justices.

Upon the Calling of the Calendar the following action was taken in the following Cases.

No. 93. Wm Jackson and Wm. Maupin Appellants. vs The Territory of Arizona Appellee

On motion of D.R. Ratterree Atty General. It is ordered passed until Jany. 17th 1895. at 10 A.M.

No. 94 Chas W. Wagner Appellant vs The Territory of Arizona Appellee

On motion of D.R. Ratterree Atty General. It is ordered that this cause be passed until Jany 17th 1895. at 10 A.M.

No. 95 A-B. Wissniger
Appellant
vs
The Territory of Arizona
Appellee

On motion of H-P. Patterwhite Atty Genl.
It was ordered that this cause be passed until Jany 17th 1895 at 10 A.M.

No. 96 Henry Blevins
—Appellant.
vs
The Territory of Arizona
—Appellee

On motion of H.P. Patterwhite. Atty Genl.
It was ordered that this Cause be passed until Jany 17th 1895 at 10 A.M.

No 100 Henry Blevins
Appellant
vs.
The Territory of Arizona
Appellee

On motion of H-P. Patterwhite Atty Genl.
It was ordered that this Cause be passed until Jany 17th 1895 at 10 A.M.

No. 101 Joseph Bursky
Appellant
vs
The Territory of Arizona
Appellee

On motion of atty. for appellant. It was ordered that he be given until Tomorrow to amend his brief by adding further authorities thereto and Serving Copy thereof on the attorney General. On motion of Atty General It was ordered that this Cause be passed until Jany 17th 1895 at 10 A.M.

No. 102 Albino Martinez
Appellant
vs
The Territory of Arizona
Appellee

On motion of H-P. Patterwhite Atty. General It was ordered that this Cause be passed until Jany 17th 1895 at 10 A.M.

No 103 . Rafael Bombrook
Appellant
vs
The Territory of Arizona
—Appellee

On motion of H-P. Patterwhite Atty. General It was ordered that this Cause be passed until Jany 17th 1895 at 10 A.M.

No. 1 ort. Felix Buisclemente
Appellant
vs.
United States
Appellee

On motion of U.S. Attorney and by Consent of Appellants Attorney It was ordered that this Cause be submitted on the briefs now on file in the Cause).

No. 328 The San Pedro Cattle Company,
Appellant
vs.
G. M. Williams
Appellee

It was ordered that L. W. Wright be entered as Attorney for the Appellant and Cause stand in its order on the Calendar.

No. 329 Fred. Smith et al
Appellants
vs
United States
Appellee

It was ordered that the motion to affirm of the Appellee, heretofore be set for hearing on Jany 15 1895 at 10 oclock.

No. 330 Southern Pacific Company
Appellant
vs
Wm McGill
Appellee

It was ordered that Frank Cox. be entered as attorney of Appellant in this Cause and that Cause stand in its order for hearing on the Calendar.

No. 343 Estate of John T. Walker deceased
Appellant
vs
A. J. Doran Administrator
Appellee

It was ordered that this Cause be passed.

No. 364 Arizona Lumber & Timber Co.
Appellant
vs.

On motion of E. E. Ellinwood
It was ordered that Cox & Street be added as attorneys for Appellant. and On motion of DOE. It was ordered that Wm. H. Barnes be added as attorney for

No. 378 Wm Schriver
Appellant
vs
Silas Arnold
Appellee

It was ordered that this Cause be passed and come up in its regular order on the Calendar.

No. 380 The Mutual Life Insurance Co.
Appellant
vs
Edward Archelger. etc.
Appellee

It was ordered that this Cause be passed

No. 381 Hugh McDonald vs Montgomery
Appellants
vs
Hyman Ellis
Appellee

On motion of Paterson & Brenham attorneys for appellants It was ordered that this Cause be dismissed at appellants Costs.

No. 379 Jr Kinnear
Plaintiff
vs
Jennie Kinnear et al.
Appellees. and
Wm Skinner
Intervenor and appellant.

On motion it was ordered that this Cause be

passed

No. 340. Adolph Cohn
Appellant
vs
A.J. McKean
Appellee

On motion of Archibald & Pitkin Counsel for appellee
passed

No. 391 W. J. Smith
Appellant
vs.
J. H. Brown
Appellee

It was ordered that J. P. Patterchike be allowed to withdraw as attorney for appellee herein. and On motion of C. W. Wright Same was submitted on the Briefs now on file.

No. 441 The California Bridge Co.
Appellant.
vs
George Pusch et al.
Appellees.

On motion of Jos. H. Kibbey It was ordered that Kibbey and Orack be allowed to withdraw as attorneys for appellant and that C. M. Frazier be substituted in their stead and Cause passed.

No. 440. Gustave Heyman and Goodman Cohn Co-partners etc
Appellants
vs
J. D. Owens.
Appellee

It was ordered that this Cause be passed

No. 431 Silver King Mining Co.
Appellant
vs.
Jesse Brown
Appellee

It was ordered that this Cause be passed

No 444 Silver King Mining Co.
Appellant
vs
Jesse Brown
Appellee

It was ordered that this Cause be passed.

No. 475 County of Maricopa
Appellant
vs
Neri Osborne
Appellee

It was ordered that this cause be passed

No. 476 County of Maricopa
Appellant
vs
R. F. Rosson
Appellee

It was ordered that this cause be passed

No. 477 John Palmer
Appellant
vs
J. A. Breed
Appellee

It was ordered that this cause be passed

No. 478 Arnold Gold and Silver Mining Co. et al.
Plaintiffs in Error
vs
T. C. Bowen
Defendant in Error

It was ordered that this cause be passed

No. 479 Juana Walker by Rowland Jones
Her Guardian
Appellant
vs
W. H. Walker et al
Appellees.

On motion of P. D. McCabe attorney for appellant it was ordered that this cause be set for hearing on January 21st 1895 at 10 o'clock A.M.
On motion of W. H. Barnes, Jos. H. Kibbey was added as attorney for appellee.

No 430 Nat. E. Hawke
Appellant
vs.
A. Wentworth
Appellee

It was ordered that J. J. Henry be entered as attorney for Appellant and James Reilly as attorney for appellee. and Cause passed.

No. 431. George Brown
Appellant
vs
The City of Sunbeam, et al.
Appellees.

It was ordered that James Reilly be entered as attorney for appellees. and Cause passed.

No 432 In the Matter of the Guardianship of the Persons and Estate of Aaron Longo. and Rebekka Teckendorf. Formerly Minors
Appellants
vs
Louis Teckendorf.
Appellant

It is Ordered that this Cause be passed, temporarily

No 433. J. M. Evans
Appellant
vs
J. W. Blankenship
Appellee

It was ordered that this Cause be passed.

No 434 Lottie Wenneman
Appellant
vs.
Daniel Murphy & Theda Murphy
Appellees

On motion of J. M. Evans. J. M. Burnett. was ordered to be entered as attorney for appellee. and Cause passed.

No 135 E. J. Bennett
Appellant
vs
Bruce Perley admin. of the Estate of Jas. Stevens deceased and R. D. Perley.
Appellees

It was ordered that this Cause be [illegible]

No 136 The Consolidated Canal Co.
Appellant
vs
A. J. Peters
Appellee

On motion of E. F. Ainsworth it was ordered that W. H. Barnes and Pope be entered as Attorneys for appellant and that [illegible]

No 137 E. D. Rood
Appellant
vs
Harley Gay
Appellee

It was ordered that Stewart and Bird and D. D. Campbell be entered as attorneys for appellee and [illegible]

No 138 W. D. Gray et al
Appellants
vs
Daniel Noonan
Appellee

On motion of Webster Street. J. F. Moriarty was ordered entered as Attorney for appellants and [illegible]

No 139 Ida County
Appellant
vs
J. H. Thompson et al
Appellees

It was ordered that E. J. Edwards name be entered as attorney for appellees. and [illegible]

No 440 Gila County
Appellant
vs
J. H. Thompson et al
Appellees.

It was that the name of E. J. Edwards be entered as attorney for appellees and cause passed

No 441 Edward Cook et al
Appellants
vs.
Gila County.
Appellee.

It was it was ordered that the Names of E. J. Edwards and W. H. Barnes be entered as attorneys for Appellee and Cause passed

No 442 John Duke
Appellant
vs
W. H. Ferguson
Appellee

It was ordered that This Cause be passed.

No 443 W. D. Stanfield
Appellant
vs.
Olof M. Anderson
Appellee

It was ordered that Fox & Street be entered as attorneys for Appellee. On motion of Appellants attorney 2 days were given him within which to briefs in this cause, and Appellee given 5 days thereafter to file reply brief thereto and Cause passed.

No 444 Annie Cadman etc
Appellant
vs.
The Old Dominion Copper Co
Appellee

On motion of J. H. Campbell. E. J. Edwards. was entered as attorney for appellee. and Cause passed.

No 446 | Jas. M. Pearsons and Quincy A. Shaw. Appellants vs. Michael Welch Appellee | On motion of Appellant he was given until January 21st 1895 to file his reply brief to Appellee's brief on Motion to dismiss appeal. Cause Passed —

No. 446 | W. A. Daggs and P. P. Daggs. Appellants vs Hugh Melbrum Appellee | It is so ordered that this cause be passed

No 447 | M. P. Scribner Appellant vs Cochise County Appellee | It so ordered that the Attorney General be entered to represent Appellee and On motion of A. R. English Appellant was given until tomorrow to add further authorities to his brief now on file in this cause and that he serve copy of the same on opposite Counsel.

No 448 | Luther Mixon Appellant vs Jas. H. Toomy Appellee | It was ordered that this cause be passed

No 449 | United States of America Appellant vs Jake Feldman et al Appellees | On motion of United States Attorney it was ordered that this cause be submitted on the brief on file in the cause

No 450 The Northwestern National Bank et al.
Appellant
vs.
B. M. Norman et al.
Appellees

It is ordered that this Cause be passed temporarily

No 451 United Verde Copper Co.
Appellant
vs
A. G. Oliver. Tax Collector etc
Appellee

It was ordered that the Attorney General be entered to represent Appellee. and Cause passed.

No 452 Wm A. Staughton. etc.
Appellee
vs
A. Pagard
Appellee

It was ordered that this Cause be passed

No 453 Fiord M. Jacobs
Appellant
vs
Oscar Burdeau
Appellee

It was ordered that the name of W. St. Barnes be entered as attorney for appellee

No 454 Albert Steinfeld and Louis Feckendorf
Appellants
vs.
W. H. Norman Treasurer etc.
Appellee

It was ordered that this Cause be passed

No 455 Gila Bend Reservoir and Irrigation Company. Appellants. vs. W. H. Trim et al Appellees

On motion It is ordered that Messrs Tilley and Bennett and Leo Ainsworth be entered associate Attorneys for Appellees. in this Cause

No 456 Directors of the Insane Asylum of Arizona Appellants vs G. N. Adams, and Isaac Stinson Jr. etc. Appellees

On motion of Attorney General this Cause was submitted on the Briefs now on file in the Case.

No 457 Alfred L. Green Appellant vs. Fred G. Hughes etc Appellee

It was ordered that this Cause be passed

No 458 Thos P. Satterwhite Appellant vs Pima County Appellee

It was ordered that this Cause be passed.

No 459 J. H. Cottrell et al Appellants vs M. A. Watson Appellee

It was ordered that this Cause be passed

No 460 J. M. Murphy et al
Plaintiffs in Error
vs
John D. Jones
Defendant in Error

It was ordered that this Cause be fixed

It was ordered that the cases will be heard in the order in which they are respectively set down on the Calendar of the Court with the exception of such cases as may be otherwise set by the Court.

It was ordered that the Court stand adjourned until tomorrow January 15th 1895 at 10 A.M.

Chief Justice
Associate "
J. D. Bethune " "
" "
" "

Supreme Court
Territory of Arizona } January Term 1895.

Phoenix Tuesday Jany 15th 1895

The Court met at 10 O'clock A.M.

Present.

His Honor	A.C. Baker	Chief Justice
"	"	O.T. Rouse	Associate "
"	"	J.J. Hawkins	" "
"	"	F.A. Doan	" "
		J.V.B. Alexander	Clerk
		W.K. Meade	U.S. Marshal
		E.E. Ellinwood	U.S. Attorney
		J.J. Briggs	U.S. Bailiff
		J.P. Martin	Court Crier.

The following matters were considered and acted upon.

No. 328 Don Pedro Cattle Co.
Appellant
vs
G.W. Williams
Appellee

This cause was argued by D.M. Franklin for appellee and C.W. Wright for appellant on the Motion of appellee to affirm, Argument thereon being submitted, the cause was then argued on its merits and submitted.

The Court took a recess until 1 P.M.

After recess the Court reconvened. There being present the Chief Justice and all the Associate Justices and Clerk.

No 327 Fred H. Smith et al
Appellants.
vs
The United States of America
Appellee

The motion of appellee to affirm in this cause was argued by United States Attorney Ellinwood for appellee and C.W. Wright for appellant and submitted, whereupon the Court denied the said Motion. On motion of Appellants attorneys, Appellants were given until Jany 19th 1895 to file their briefs therein. and Appellee given 5 days thereafter to file its briefs. and that cause be submitted on filing of said briefs

The following order was made by the Court.
It is hereby ordered that the United States Marshal be and is hereby directed to furnish necessary Stationery for the use of this Court.

It was ordered that the Court stand adjourned until tomorrow January 16th 1895 at 10 o'clock A.M.

Chief Justice
Associate "
" "
" "

Supreme Court
Territory of Arizona

January Term 1894
Phoenix Term, M. 1894
The Court met at 10 O'clock A.M.

Present.

His Honor A.C. Baker Chief Justice
" " W.D. Rouse Associate "
" " J.J. Hawkins " "
" " J.D. Bethune " "
W.F. Alexander Clerk
W.K. Meade U.S. Marshal
C.E. Elkinwood U.A. Attorney
J.F. Briggs Bailiff
H.D. Martin. Crier.

The following Cases were taken up Considered, and action thereon was had as follows.

No 39 Adolph Kohn
Appellant
vs
A.J. Mehan et ux
Appellees.

Motion of appellant for rehearing in this Cause be granted, and Case is ordered placed at the foot of the Calendar.

No 38 The Mutual Life Insurance Co.
of New York
Appellant
vs.
Edward Ornstein, Administrator
of the Estate of Alexander Graden deceased
Appellee

It was ordered that appellants Attorney be permitted to withdraw this motion herein for [illegible]

No. 37 William Christy
Appellant
vs
[illegible]
Appellee

On motion of appellants attorney It is ordered that he be allowed [illegible]

No. 476 Maricopa County
Appellant
vs
Nevis Osborne
Appellee

It was ordered that the motion of Appellee to dismiss in this Cause be Submitted.

No 476 Maricopa County
Appellant
vs
R. T. Rosson
Appellee

It was ordered that the motion of Appellee in this Cause be submitted.

No 433 J. W. Evans
Appellant
vs
J. W. Blankenship
Appellee

It was ordered that the motion of Appellee to strike out Bill of Exceptions in this Cause be submitted.

No 431 The Consolidated Canal Co.
Appellant
vs
A. J. Peters
Appellee

It was ordered that the motions of Appellees to Strike the Bill of Exceptions and Specification of Error in this Cause be Submitted.

No 477 John Palmer
Appellant
vs
J. H. Reed
Appellee

It was ordered that the motion of Appellee to dismiss appeal in this Cause be passed until the attorney in the Case can reach Phoenix.

No 478 Arnold Gold & Silver Mining Co.
et al. Plaintiffs in Error
vs
A. W. Bowen
Defendant in Error.

On motion of J. H. Wright attorney for Defendant in Error It was ordered that the motion of Defendant in Error to dismiss writ of Error be passed until attorneys for Plaintiffs in Error can reach Phoenix.

No. 438 M.D. Gray et al
Appellants
vs
Daniel Noonan
Appellee.

It was ordered that the motions of appellee to strike out Assignment of Errors and appellants Reply brief be submitted.

No 445 G.W. Pearsons and Chaney Shaw
Appellants
vs
Michael Welch
Appellee

On motion of Wm Herring attorney for appellants. It was order that the Consideration of appellees motions as well as appellants motion in this Cause be passed until January 21st 1895.

No 446 Annie Badman administratrix of the Estate of John Badman deceased
Appellant
vs
The Old Dominion Copper Co.
Appellee.

It was ordered that the motion of appellee to Strike out Transcript No. 2. in this Cause be submitted.

No. 454 J.J. Bottineau exr. et al.
Appellants
vs.
H.D. Hatton
Appellee

It was ordered that the motion of appellee to dismiss appeal, in this Cause be submitted.

No. 460 J.K. Murphy et al
Plaintiffs in Error
vs
John D. Jones
Defendant in Error.

It was ordered that the motion of Defendant in Error. to dismiss writ of Error. be submitted upon filing of Plaintiffs in Error. brief. on Jany 21st 1895

No. 435 E.J. Dennis.
Appellant
vs.
Annie Perley administratrix of Estate of Jas. D. Evans deceased and P. D. Perley
Appellees

It was ordered that the motion of Appellees to strike out Appellants reply brief be submitted.

No. 439 Gila County.
Appellant
vs.
J.H. Thompson et al
Appellees.

On motion of attorneys for appellant It was ordered that appellant have until January 21st 1895 to file brief on appellee's motion to dismiss appeal in this Cause and upon the filing of such brief said motion be submitted.

No. 440 Gila County
Appellant
vs
J.H. Thompson et al.
Appellees

On motion of Appellants attorneys It was Ordered that Appellant have until January 21st 1895 to file brief on appellee's motion to dismiss appeal in this Cause and that upon the filing of such brief said motion be submitted.

No. 464 Florence Publishing Co.
Appellant
vs
Robert Williams
Appellee

It was ordered that the Consideration of the motion of appellee to affirm judgment be passed until January 21st 1895.

No. 101. Joseph Kirby
Appellant
vs
The Territory of Arizona
Appellee

On motion of Attorney General. Thos. P. Satterwhite. It was ordered that Wm Herring be added as Counsel for the Territory in this Cause.

No. 44. Henry Blevins
Appellant
vs.
The Territory of Arizona
Appellee

On motion of Attorney General Thos. P. Satterwhite It was ordered that E.J. Edward be added as Counsel for the Territory in this Cause.

No. 100 Henry Blevins
Appellant
vs
The Territory of Arizona
Appellee

On motion of Attorney General Thos. P. Satterwhite, It was ordered that E.J. Edwards be added as Counsel for the Territory in this Cause.

The following order was made, by the Court.
It is hereby ordered that the United States Marshal purchase a stove for the use of the Supreme Court Chambers.

No. 311 William McGill
Appellant
vs
The Southern Pacific Co.
Appellant

This cause was argued by Frank Cox Esq for appellant.

No. 411 The California Bridge Co
Plaintiff in Error.
vs.
George Gnoss
Defendant in Error.

On motion of L. M. Frazier attorney for Plaintiff in Error.
It was ordered that he be granted January 22 - 1895
to file brief in this Cause.

The Court took a recess until 2 O'clock P. M.

After recess. the Court reconvened.
Present. The Chief Justice and all the Associate Justices and clerk.

No 321 The Southern Pacific Co.
Appellant
vs.
William McGill
Appellee

Francis J. Heney Esq. resumed the Argument in this Cause for the appellee and concluded the said argument. Whereupon it was ordered that the Same and Cause be Submitted.

It is ordered that the Court stand adjourned until tomorrow January 17th 1895 at 10 O'clock A. M.

Chief Justice
[illegible] Associate "
J. D. Beatty "
" "
" "
" "

Supreme Court
Territory of Arizona } January Term. 1895.

Phoenix Jany 17, 1895.

The Court met at 10 o'clock A.M.

Present.

His Honor. A. O. Baker — Chief Justice,
" " O.F. Rouse — Associate "
" " J.J. Hawkins — " "
" " J.P. Bethune — " "
J.V.B. Alexander — Clerk
M.R. Meade — U.S. Marshal
E.E. Ellinwood — U.S. Attorney.
J.J. Briggs — Bailiff
P.J. Martin — Crier.

The following cases were considered and acted upon.

No xxx — Annie Ladmun Administratrix of the Estate of John Ladmun deceased
Appellant
vs
The Old Dominion Copper Co.
Appellee.

It was ordered that the motion of Appellee to strike out from the record Transcript No. v in this Cause, be granted. On motion of Mr. Barnes for Appellant he was permitted to withdraw said transcript No. v from the files of the Court.

No. xxy — Maricopa County
Appellant
vs
Neil Osborne.
Appellee

It was ordered that the motion of Appellee to dismiss appeal in this cause be denied,

No. xxz — Maricopa County
Appellant
vs
R.F. Rawson
Appellee

It was ordered that the motion of Appellee to dismiss the appeal in this Cause be denied

No. 334 — W. D. Gray et al
Appellant
vs.
Daniel Noonan
Appellee

It was ordered that the Motions of Appellee to strike out the Assignment of Errors and the Bond on appeal in this Cause be denied

No. 335 — J. W. Evans
Appellant
vs
J. W. Blankenship
Appellee

It is hereby ordered that Appellee's Motion to strike out the Bill of Exceptions in this Cause be denied

No. 336 — The Consolidated Canal Co.
Appellant
vs.
A. J. Peters
Appellee

It is hereby ordered that the Motions of appellee to strike out the Bill of Exceptions and Assignment of Errors in this Cause be denied

No. 465 — Juan Flores
Appellant
vs
H. E. Kemph, Wm Christy and The Salt River Valley Gold Mining Co.
Appellees.

On motion of J. J. Moriarity atty. for appellant. It is hereby ordered that the Clerk of this Court file the Transcript on appeal and other papers in this cause without the prepayment of the appearance fee required by the Rules of this Court being first had.

No. 337 — Fred. W. Smith et al.
Appellant
vs.
United States of America
Appellee

On motion of W. H. Barnes Esq. Attorney for appellants and consented to by U.S. Attorney It was ordered that Appellants be granted 30 days in which to file brief and that Appellee be granted 30 days thereafter to file answer thereto. and appellants have 10 days thereafter to reply. and Cause be submitted on said Briefs.

No. 390. Adolph Cohn
Appellant
vs.
A.J. Mehaw et al:
Appellees.

It is hereby ordered. that all the Motions onfile in this Cause be deemed as submitted and that this Case be considered in its regular. Order. on the Printed Calendar of this Court.

No. 393. Estate of John D. Walker, deceased.
Appellant
vs
A.J. Dorsey. Administrator
Appellee

In this Cause. Chief Justice Baker. withdrew and took no part in its Consideration he being disqualified.
Thos. F. Fitch attorney for appellant. Argued for the appellant.

The Court took a recess. until 2 O'clock P.M.

After recess. the Court reconvened
Present
His Honor. O.S. Rouse Associate Justice
" " J.J. Hawkins " "
" " J.P. Bethune " "
and the clerk

No. 393 Estate of John D. Walker deceased
Appellant
vs
A.J. Dorsey Administrator
Appellee

Thos. F. Fitch attorney for appellant resumed argument for appellant in this Cause and show Conclusion of same. D.M. Franklin Argued for appellee. It was ordered that the Argument in this Cause be Continued until tomorrow

It was ordered that the Court stand adjourned until tomorrow at 10 O'clock A.M. January 18th 1895.

O.S. Rouse Chief Justice
J.J. Hawkins Associate "
J.P. Bethune " "

Supreme Court. January. Term 1895
Territory of Arizona Phoenix. June 18th 1894

The Court met 10 a.m.

Present.

His Honor. O.T. Rouse Associate Justice
" " J.J. Hawkins " "
" " J.D. Bethune " "

J.F.B. Alexander Clerk
W.H. Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
J.J. Briggs Bailiff
D.J. Martin Crier.

The following was considered and acted on by the Court.

No. 101. Joseph Kirby
Appellant
vs
The Territory of Arizona
Appellee

On motion of Wm Herring Attorney for the Territory it was granted 10 days within which to file brief in this Cause

No. 315 Estate of John D. Hafflin deceased
Appellant
vs
A.J. Doran
Appellee

D.M. Franklin Esq resumed argument for appellee in this Cause.

The Court took a recess. until 4 O'clock P.M.

After recess. The Court reconvened.

Present. His Honor. O.T. Rouse Asso. Justice
" " " J.J. Hawkins " "
" " " J.D. Bethune " "
And J.F.B. Alexander Clerk

No. 343 Estate of John D. Walker deceased.
Appellant
vs
A.J. Dorrah.
Appellee

W.H. Barnes argued for appellee and Jo. Campbell for appellant. Whereupon the case was ordered submitted.

It was ordered that the Court stand adjourned until tomorrow at 10 O'clock A.M. January 19th 1895.

Chief Justice
Associate Justice
" "
" "

Supreme Court. } January Term 1895.
Territory of Arizona } Phoenix, January 19th.

The Court met at 10 o'clock A.M.

Present: His Honor O.D. Rouse Associate Justice
" " " J.J. Hawkins " "
" " " J.P. Berthume " "
J.V.B. Alexander Clerk.
W.H. Meade M.S. Marshal.
E.E. Ellinwood U.S. Attorney.
J.J. Briggs Bailiff
D.J. Martin Crier

The following was considered and acted on by the Court.

No. 368 The Arizona Lumber and Timber Company
Appellant
vs
William Mooney
Appellee

This Cause was argued by E.E. Ellinwood Esq. and Webster Street Esq. for the appellant and E.M. Doe for the appellee Whereupon the Case was ordered Submitted.

It was ordered that the Court stand adjourned until Monday at 10. A.M. January 21st. 1895

Chief Justice
J.J. Hawkins Associate "
J.P. Berthume " "
" "
" "

Supreme Court. } January Term 1896.
Territory of Arizona } Phoenix, Jany. 21st.

The Court met at 10 o'clock, A.M.

Present. His Honor A.C. Baker Chief Justice
" " O.S. Rouse Associate "
" " J.J. Hawkins " "
" " J.D. Bethune " "

J.F. Alexander Clerk
W.H. Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
J.F. Briggs Bailiff
D.J. Martin Crier.

The following Causes were considered.

No. 167 H.W. Ryder
Appellant
vs
Henry Rixon
Appellee

On motion of J.B. Early, Attorney for appellant. It was ordered that this Cause, be placed on the Calendar.

No. 136 The Consolidated Canal Co
Appellant
vs.
A.J. Peters
Appellee

On Motion of L.S. Ainsworth attorney for appellant It was ordered that the Consideration of this Cause be passed.

No 137 R.D. Rook.
Appellant
vs
Stanley Ivey
Appellee

On motion of Appellees attorney, It was ordered that the Consideration of this Cause be passed.

No. 389 — H. D. Kinnear, Plaintiff vs Jennie Kinnear et al. Defendants & Appellees vs William Skinner, Intervenor & Appellant. — In this Cause W. H. Barnes argued for the appellant. No oral Argument was submitted.

On motion of Webster Street Esq. J. M. Doolittle Esq. was ordered to be admitted to practice in this Court. upon Signing the roll of attorneys and taking the usual oath.

No. 390 — Gustave Seyman and Goodman Cohn etc. Appellants vs J. D. Owen Appellee. — It was ordered that the motion to dismiss and affirm of appellee in this Cause be submitted.

No. 411 — California Bridge Co. Plaintiff in Error vs George Rusch Defendant in Error. — On motion of Defendants in Error. attorney, It was ordered that Defendant in Error have 10 days to file reply brief in this Cause and that Cause be submitted upon the filing of such brief. on the briefs on file. at said time.

No. 412 — The Silver King Mining Co. Appellant vs Jesse Brown Appellee — It was ordered that the motion to affirm in this Cause be submitted.

No. ### The Silver King Mining Co.
Appellant
vs
Jesse Brown
Appellee

It was ordered that the motion to affirm in this cause be submitted.

No. ### Juana Walker (a minor) by her guardian Rosette Jones her guardian
Appellant
vs
W. H. Walker et al
Appellees

This cause was argued by P. D. McCabe Esq for appellant. Justice Bellune having previously withdrawn, he being disqualified from participating in the consideration of this cause, by reason of having been attorney for appellant, heretofore.

The Court took recess until 2 O'clock P. M.

After recess. The Court reconvened,
Present. A. L. Butler Chief Justice
J. J. Hawkins Associate "
O. J. Rouse " "
and Clerk.

It was ordered that N. A. Dorn be admitted to practice in this Court, on his license from the Supreme Court of the State of California upon signing the roll of attorneys and taking the usual oath.

No. ### Juana Walker (a minor) by her guardian Rosette Jones.
Appellant
vs
W. H. Walker et al
Appellees

Further argument in this cause was continued until tomorrow morning at 10 O'clock A. M.

It was ordered that the appellees in cases. Nos. 435 and 438. be granted four days. within which to file reply. briefs in said cases. respectively.

It was ordered that the Court stand adjourned until tomorrow at 10 O'clock A.M. January 22nd 1895.

Chief Justice

Hawkins Associate "

" "

" "

" "

Supreme Court
Territory of Arizona

January Term. 1895
Phoenix, Sanny. Ariz.

The Court met at 10 O'clock A.M.

Present.. A.O. Baker — Chief Justice
O.S. Rouse — Associate "
J.J. Hawkins — " "

J.F.L. Alexander — Clerk
M.K. Meade — U.S. Marshal
E.E. Ellinwood — U.S. Attorney
J.J. Briggs — Bailiff
D.J. Martin — Crier.

The following Causes were Considered.

No. 104 — J.W. Powers and Quincy A. Shaw.
Appellants
vs
Michael Welch
Appellee

It is hereby ordered that the Motion to dismiss and affirm in this Cause be Submitted on the briefs on file. Pertaining thereto.

No. 103 — Walter Steinbrook
Appellant
vs
The Territory of Arizona
Appellee

It was ordered that this Cause be set for argument immediately following the conclusion of the Argument in Case No. 104.

No. 105 — Fuller-Wilson
Appellant
vs
James R. Towry
Appellee

On motion of attorney for Appellant consented to by attorney for Appellee It is hereby Ordered that this Cause be argued immediately following the conclusion of the argument in Case No. 103.

No. 389 — J.P. Kinnear Plaintiff vs Jennie Kinnear et al Defendants and Appellees and Wm Kinnear Intervenor Appellant. — On motion of Wm Herring attorney for appellees. It was ordered that this Cause be submitted on the Briefs now on file in the Case.

No. 429 — Jeanie Walker (a minor) by her Guardian Rosetta Jones. Appellant vs W.H. Walker et al. Appellees — This Cause was argued by Jo. Kibbey and W.H. Barnes. for appellees. whereupon it was ordered that the Case be submitted.

No. 411. — The California Bridge Co. Plaintiff in Error. vs. Henry Rusch Defendant in Error — On motion of L.M. Frazier attorney for Plaintiff in Error. It was ordered that the time for filing briefs by respective Counsel in this Cause be extended in Conformity with the Stipulation of said Counsel on file herein.

No. 103 — Walter Steinbrook Appellant vs The Territory of Arizona Appellee — This Cause was argued by J.H. Wright for appellant. and by D.R. Patterson Attorney General for appellee and submitted Justice Hawkins withdrew previously to the Argument of this Cause and did not participate in its Consideration, Justice Bethune taking his seat on the Bench in his place

The Court took recess until 2 O'clock P.M.

After recess. The Court reconvened.

Present.

A.C. Baker Chief Justice
O.D. Rouse Associate "
J.P. Bethune " "
Attd E.F. Alexander Clerk

No. 437 — R. J. Root, Appellant, vs. Harvey Dow, Appellee — On motion of J. W. Herndon attorney for appellant, It was ordered that appellant be given 30 days to file reply brief in this cause and that upon the filing of such brief the cause be submitted on the briefs then on file.

No. 436 — The Consolidated Canal Co., Appellant, vs. A. J. Peters, Appellee — On motion of C. D. Ainsworth attorney for appellant, It is hereby ordered that the argument in this cause be postponed until Jany 29th 1895.

No. 448 — Luther Wilson, Appellant, vs James R. Fowry, Appellee — This cause was argued by J. H. Wright for appellant and by J. W. Herndon for appellee, and ordered submitted. Justice Hawkins did not participate in the hearing of this cause

No. 430. — Nat. C. Hawk, Appellant, vs. A. Wentworth, Appellee — Whitt Justice Baker withdrew from the hearing of this cause. D. J. Haney argued for the appellant and ordered that further argument in this be postponed until tomorrow at 10 A.M. Justice Hawkins sat in this cause.

No. 447 — W. D. Scribner, Appellant, vs Cochise County, Appellee — On motion of the Attorney General. It was ordered that G. W. Owens District attorney of Cochise County be added as Counsel for appellee and this cause be submitted on the briefs now on file herein. Justice Bethune did not any part in this cause

It was ordered that the Court stand adjourned until tomorrow at 10 O'clock A.M.

Chief Justice
Associate "
" "
" "

Supreme Court. } January Term 1895
Territory of Arizona } Phoenix, Jany. 7th.

The Court met at 10 O'clock A.M.

Present, O. J. Rouse Associate Justice
J. J. Hawkins " "
E. D. Bethune " "

J. F. B. Alexander Clerk
W. K. Meade M/S. Marshal
E. E. Ellinwood M/S. Attorney
J. H. Briggs Bailiff
J. D. Martin Crier

The following Causes were considered

No 31. George Brown
Appellant
vs
The City of Tombstone et al
Appellees

On motion of attorney of Appellees.
It was ordered that the motion to dismiss appeal in this Cause be submitted.

No 30. Nat. E. Hanks
Appellant
vs.
A. Wenkworth
Appellee

This Cause was argued by James Reilly and Allen R. English for appellee and ordered submitted.

It was ordered that the Court adjourned until Tomorrow at 10 O'clock A.M. January 7th 1895.

Chief Justice
J. J. Hawkins Associate "
E. D. Bethune " "
" "

Supreme Court
Territory of Arizona

January Term 1895.
Phoenix. January 7th 1895.

The Court met at 10 O'clock A.M.

Present. A.O. Baker Chief Justice
O.S. Rouse Associate "
J.J. Hawkins " "
J.D. Bethune " "

J.F.B. Alexander Clerk.
W.K. Meade U.S. Marshal.
E.E. Ellinwood U.S. Attorney.
J.T. Briggs Bailiff.
D.J. Martin Crier.

The following Causes were Considered.

No. 99. Henry Blevins
Appellant
vs
The Territory of Arizona

It is hereby ordered that this Cause be set for Argument on Tomorrow at 2 O'clock P.M.

No. 100 Henry Blevins
Appellant
vs
The Territory of Arizona
Appellee

It is hereby Ordered that this Cause be set for Argument on Tomorrow at 2 O'clock P.M.

No. 101 Albino Martinez
Appellant
vs
The Territory of Arizona
Appellee

On motion of the Attorney General, It was ordered that this Cause be Submitted on the briefs now on file herein.

On motion of Joseph Campbell Esq. It is hereby ordered that M.M. Meade Esq. Be admitted to Practice in this Court on the production of a license from the Supreme Court of the State of California to Practice therein, upon his signing the Roll of Attorneys and taking the usual oath.

378 William Christy
Appellant
vs
Delos Arnold
Appellee.

On motion of Thos. Armstrong Jr. for appellee, It was ordered that the motion for rehearing in this Cause be submitted.

478 The Arnold Gold and Silver Mining Company.
Plaintiff in Error.
vs
P.O. Bowan
Defendant in Error.

On motion of J.B. Merndon Esq for Plaintiff in Error. It is hereby ordered that the Plaintiff in Error herein be granted until tomorrow morning to file his motion suggesting a diminution of the record herein.

475 Maricopa County
Appellant
vs.
Neri Osborne
Appellee

This Cause was argued by Walter Bennett Esq for appellant and by Joseph Campbell Esq. for the appellee and ordered submitted, the Chief Justice withdrew during the hearing of this Cause and did not take part in its consideration

476 Maricopa County
Appellant
vs
R.F. Rorson
Appellee

This Cause was argued by Walter Bennett Esq. for appellant and by Joseph Campbell Esq. for the appellee. and ordered submitted.
Chief Justice Baker withdrew during the hearing of this Cause and did not take part in its consideration.

The Court took a recess until 2 O'clock P.M.

After recess. The Court reconvened,

Present. Hon. Wm. Baker Chief Justice
O.D. Rouse Associate "
J.J. Hawkins " "
J.P. Bethune " "
And J.F.B. Alexander Clerk

No. 431. George Brown
Appellant
vs.
The City of Jonesboro Ark
Appellees

The motion of appellee to dismiss the appeal in this cause was argued by W. H. Barnes Esq for appellant and by James Risley Esq. for appellee whereupon the motion was submitted.

No. 433 J. W. Evans
Appellant
vs
J. W. Blankenship
Appellee

This cause was argued by W. H. Dillowell Esq. for the appellant and by F. H. Chalmers Esq. for the appellee and ordered submitted Chief Justice Baker withdrew during the argument of this cause and did not take part in its consideration

It was ordered that the Court stand adjourned until tomorrow at 9 Oclock A.M. January 25th 1895.

Chief Justice
John J. Hawkins Associate "
A. A. Bunn " "
" "

Supreme Court,
Territory of Arizona } January Term 1895
Phoenix January 7th 1895.

The Court met at 9 o'clock P.M.

Present. A.C. Baker Chief Justice
O.S. Rouse Associate "
J.J. Hawkins " "
J.D. Bethune " "

J.F.B. Alexander Clerk
W.H. Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
J.H. Briggs Bailiff
D.J. Martin Crier

The following Causes were Considered.

No. 115 G.W. Beavens and
Quincy A. Shaw.
Appellants
vs
Michael Welch
Appellee

It is hereby ordered that the motions of Appellees to dismiss and affirm be denied

No. 131 George Bravin
Appellant
vs
The City of Tombstone et al
Appellees

The motion of appellees to dismiss the appeal in this Cause having been heretofore submitted and the Court having taken the same under advisement and the Court having fully considered the same and being fully advised in the premises. It is hereby ordered that the said motion to dismiss the appeal herein be and the same is hereby sustained and the appeal in this Cause be and the same is hereby dismissed. And it is further Ordered adjudged and decreed that the appellees herein do have and recover of and from the appellant herein and A.A. Overlock and J.H. McDonough the sureties on the appeal bond herein their costs in the Court below amounting to the sum of $17.75 and their costs incurred in this Court taxed at $ Twenty Six and 75/100 Dollars

No. 469 — J.J. Bottrell et ux, Appellants vs W.D. Walkow, Appellee — It is hereby ordered that Appellees motion to dismiss the appeal herein be denied.

No. 439 — Gila County, Appellant vs J.H. Thompson et al, Appellees — It is hereby ordered that appellees motion to dismiss the appeal herein be denied.

No. 440 — Gila County, Appellant vs J.H. Thompson et al, Appellees — It is hereby ordered that appellees motion to dismiss the appeal herein be denied.

No. 470 — Gustave Heyman and Goodman Lohn Co-partners under the firm name of G. Lohn & Co., Appellants vs J.D. Owen, Appellee

The motion of appellee to dismiss the appeal and affirm the judgment of the lower Court in this cause having been heretofore submitted and by the Court taken under advisement and the Court having considered the same and being fully advised in the premises. It is hereby ordered that said motion be and the same is hereby dismissed and the appeal herein dismissed and the judgment of the lower Court herein affirmed and that appellee herein do have and recover of and from the appellants herein and J.B. Ehley and J.E. Johnson the sureties on the appeal bond herein the sum of Eighty eight and 10/100 Dollars appellees costs in the lower Court. and the costs of this Court taxed at Fifteen and 50/100 Dollars.

No. [illegible] vs The Silver King Mining Co
Appellant
vs
Jesse Brown
Appellee

It is hereby ordered that appellees motion to dismiss be denied, and on motion of appellants attorney is hereby ordered that he be granted 7 days to file brief herein and that appellee have 3 days thereafter to reply and cause be submitted on such briefs

No. [illegible] The Silver King Mining Co.
Appellant
vs
Jesse Brown
Appellee

It is hereby ordered that appellees motion to dismiss the appeal herein be denied, and on motion of Jos. Kibbey attorney for appellant it is hereby ordered that he be given 7 days to file brief herein and appellee have 3 days thereafter to reply and cause be submitted on such briefs

No. 135 E. J. Bennett
Appellant
vs
Bruce Perley etc. and
R. D. Perley,
Appellees

It is hereby ordered that appellees motion to strike out appellants brief herein be denied, and on motion of appellees attorney, It is hereby ordered that appellees have until January 29th 1895. to file additional brief.

No. 99. Henry Blevins
Appellant
vs
The Territory of Arizona
Appellee

This cause was argued by Jos. Kibbey for appellant and by E. J. Edwards for appellee and ordered submitted.
Justice Rouse withdrew during the argument of this cause and did not take part in its consideration

No. 100 Henry Blevins
Appellant
vs
The Territory of Arizona
Appellee

This cause was argued by Jos. H. Kibbey for appellant and by E. J. Edwards for appellee and ordered submitted.
Justice Rouse withdrew during the argument of this cause and did not take part in its consideration

No. 451

United Verde Copper Co
Appellant
vs
A.G. Oliver Treas. Ex officio
Tax Collector. Mavapai Co.
Appellee

On motion of the Attorney General It was ordered R.E. Morrison District Attorney of Mavapai County be entered as Counsel for the appellee in this Cause

It was ordered that the Court stand adjourned until Monday morning at 10 Oclock A.M. January 28th 1895

Chief Justice
Jno J Hawkins Associate "
J J Bethune " "
" "

Supreme Court
Territory of Arizona. } January Term 1895
Phoenix Monday Jany. 28th 1895

The Court met at 10 o'clock A.M.

Present A.C. Baker Chief Justice.
O.T. Rouse Associate " "
J.J. Hawkins " " "
J.D. Bethune " " "

J.J.B. Alexander Clerk.
W.H. Meade U.S. Marshal.
E.E. Ellinwood U.S. Attorney.
J.J. Briggs. Bailiff
D.J. Martin Crier.

The following causes were considered and disposed of as follows.

#55. Gila Bend, Reservoir & Irrigation Company etc.
Appellants.
vs
W.H. Linnaman,
Appellees.

On motion of Jno. L. Perry attorney for appellants
It is hereby ordered that appellants have 10 days to file brief herein and appellees 30 days thereafter to reply.

#59 J.J. Bottrell et al
Appellants
vs
U.S. Watson
Appellee

On motion of Walter Bennett for appellee
It was ordered that Appellee have further time to file brief herein,

#45 M.W. Dawson and Quincy Ashaw
Appellants
vs
Michael Welch
Appellee

On motion of W.H. Kilburn for appellee he was given leave to withdraw his Brief to correct certain pages therein and to add thereto two more pages of comment on the authorities filed by appellants in their brief and that this cause be set for hearing tomorrow afternoon.

No. 99. Henry Blevins
Appellant
vs
The Territory of Arizona

This Cause having been heretofore argued and submitted and by the Court taken under advisement, and the Court having fully Considered the same and being fully advised in the premises It is ordered that the Judgment of the lower Court herein be and the same is hereby reversed and cause remanded for new trial.

No. 100. Henry Blevins
Appellant
vs
The Territory of Arizona
Appellee

This Cause having been heretofore argued and submitted and by the Court taken under advisement and the Court having fully Considered the same and being fully advised in the premises, It is ordered that the Judgment of the lower Court herein be and the same is hereby reversed and Cause remanded for new trial.

No. 103 Walter Steinbrook
Appellant
vs
The Territory of Arizona
Appellee

This Cause having been heretofore argued and submitted and by the Court taken under advisement and the Court being fully advised in the premises It is Ordered that the judgment of the lower Court herein be and the same is hereby affirmed.

No. 107 John Palmer
Appellant
vs
J.H. Breed
Appellee

On motion of J.J. Wilson for appellant,
It is hereby ordered that this Cause be submitted on the briefs now on file herein.

No. 1134 Pettis Mannigan
Appellant
vs
Daniel Murphy et al.
Appellees

On motion of W.D. Ainsworth for appellant consented to by Asst. Burnes for appellee, It is hereby ordered that this Cause be Submitted on the briefs now on file herein

No. 1144 John Dulee
Appellant
vs
W.H. Bergman
Appellee

On motion of D.W. Johnston for appellant consented to by J.F. Wilson for appellee It is hereby ordered that this Cause be submitted on the briefs now on file herein.

No. 1145 Annie Badman administratrix of the Estate of John Badman deceased
Appellant
vs
The Old Dominion Copper Co.
Appellee

It is hereby ordered that the motion of appellee in this Cause be submitted.

No. 1146 N.A. Dagg et al
Appellants
vs
Hugh McBrien
Appellee

On motion of J.B. Herndon for appellee It is hereby ordered that this Cause be set for hearing on Wednesday morning January 30th 1895

No. 1150 The Northwestern National Bank et al.
Appellants
vs
B.M. Bergman et al
Appellees

It is hereby ordered that the consideration of this Cause be passed. for the present.

No. 461 — The United Verde Copper Co
Appellant
vs
A.G. Oliver Treas. etc.
Appellee

On motion of appellants, attorney J.L. Herndon consented to by R.E. Morrison for appellee It is hereby ordered that this cause be set for hearing on tomorrow morning at 10 a.m.

No. 461 — Jake Marks
Appellant
vs
San Francisco Breweries Company.
Appellant

On motion of J.L. Herndon for appellant, It is hereby ordered that this cause be passed for further consideration

No. 462 — Fred S. Brecht
Appellant
vs
San Francisco Breweries Co.
Appellee

On motion of J.L. Herndon for appellant. It is hereby ordered that this consideration of this cause be passed

No. 463 — R.L. Hendruff Cashier
Appellant
vs
Pinal County
Appellee

On motion of J.L. Herndon for appellant consented to by R.E. Morrison for appellee, It is hereby ordered that this cause be set for hearing on Wednesday at 2 P.M. January 30th 1895

No. 464 — The Florence Electric Ry Co
Appellant
vs
Robert Williams
Appellee

It is hereby ordered that the motion of appellee herein to dismiss and affirm be submitted.

No. 466 — Joseph Scott
Appellant
vs
Pima County
Appellee

It is hereby ordered that appellee herein have 10 days to file brief after appellants brief herein has come in and this cause be then submitted on such briefs

No. 101

Joseph Berry
Appellant
vs
The Territory of Arizona
Appellee

On motion of Wm Herring for appellee,
It is hereby ordered that this Cause be set for Hearing on Tuesday Morning January 29th 1895

No. 435

E.J. Bennett
Appellant
vs
Bruce Perley, Admin. and
D.D. Perley
Appellees

On motion of L.S. Ainsworth for appellant. Consented to by D.D. Perley for appellees.
It is hereby ordered that this Cause be set for hearing on tomorrow morning

No. 437

In the matter of the guardianship of the Persons and Estate Aaron Hugh and Helen Lee Eckendorf, formerly minor
Appellees
vs
Louis Eckendorf
Appellant

This Cause was argued by D.M. Franklin Esq for appellant and by E.J. Henry for appellees whereupon the cause was ordered submitted.

The Court took a recess until 2 O'clock P.M.

After recess the Court reconvened.

Present. O.F. Rossd Associate Justice
J.J. Hawkins " "
J.P. Berling " "
and J.F. McAlexander Clerk

The following matters were Considered

No. 43.

Wm Judson and W.J. Murphy
Appellants
vs
The Territory of Arizona
Appellees.

Or appearing from the motion of J.F. Wilson attorney for the appellants named in the foregoing cause filed herein suggesting a diminution of the record therein. and upon the examination of the transcript in said cause herein. that the transcript transmitted to this Court in said cause is made up of the original papers filed in the Court below. and does not contain the whole of the proceedings had in said lower Court in said cause Wherefore it is ordered that the Clerk of this Court return to the Clerk of District Court of Apache County Arizona Territory the papers Transmitted by him to this Court purporting to be a transcript of the record in said cause. and that said Clerk of said District Court be and he is hereby required and directed to forthwith certify up. to this Court a correct transcript of all the proceedings had. in connection with said cause in said District Court.

No. 95

D. B. Wiggins
Appellant.
vs
The Territory of Arizona
Appellee

Or appearing by the motion of J. F. Wilson attorney for the appellant herein filed in this cause suggesting a diminution of the record, and upon the examination of the transcript in this cause, that the transcript filed in this cause is made up of the original papers filed in the Court below and does not contain the whole of the proceedings had in said cause in the said lower Court, Wherefore it is ordered that the clerk of this Court return to the Clerk of the District Court of the County of Apache Arizona Territory the papers transmitted by him to this Court purporting to be a transcript of the record in said cause, and that said Clerk of said District Court be and he is hereby required and directed to forthwith certify up to this Court a correct transcript of all the proceedings had in connection with said cause in said District Court.

It was ordered that the Court stand adjourned until tomorrow at 10 Oclock A.M.

January 29th 1895

Chief Justice
Associate "
" "
" "

Supreme Court. }
Territory of Arizona } January Term 1895
Phoenix. Tuesday. Jany. 29th "

The Court met at 10 O'clock A.M.

Present. His Honor O.T. Rouse Associate Justice
" " J.J. Hawkins " "
" " J.D. Berryhill " "

J.F.B. Alexander Clerk
W.H. Meade M.S. Marshal
E.E. Ellinwood M.S. Attorney
J.Y. Briggs Bailiff
J.D. Martin Crier

The following Causes were Considered and disposed of as follows.

No. 390 Adolph Bohm.
Appellant
vs
A.J. Mehan et al
Appellees

On motion of James Reilly for appellees It is hereby ordered that he have leave to withdraw this brief in this Cause to add additional authorities thereto and Appellant have 3 days after such authorities are added to reply to the Same and Cause be Submitted on briefs

No. 365 The Florence Publishing Co
Appellant
vs
Robert Williams
Appellee

On motion of Jos. H. Nisbet for appellant It is hereby ordered that he be allowed to file affidavit herein and that said affidavit be Submitted for consideration by the Court in connection with appellees motion to dismiss and affirm filed herein

No. 178 Arnold Gold and Silver Mining Co et al
Plaintiffs in Error
vs
T.O. Bowen
Defendant in Error.

On motion of Jas. Herndon for Plaintiffs in Error and on good Cause being shown therefor It is hereby ordered that the Clerk of the District Court of the 4th Judicial District of the Territory of Arizona in and for the County of Mohave do forthwith transmit to this Court a properly Certified transcript of the record and proceedings in this Cause filed, entered and had. in said District Court. in connection with this cause.

No. 94 Chas. L. Wagner.
Appellant
vs
The Territory of Arizona
Appellee

It appearing by the petition of R.E. Morrison attorney for the appellant herein, filed in this cause that the transcript on file in this cause is made up of the original papers. filed in the Court below. and does not contain the whole of the entries and proceedings made and had in said cause in the lower Court. Wherefore it is ordered that the clerk of this Court return to the clerk of the District Court of the County of Apache in the Territory of Arizona the papers transmitted by him to this Court purporting to be a transcript of the record. in said cause. and that said clerk of said District Court. be and he is hereby required and directed to forthwith certify up to this Court. a correct transcript of all the papers. entries and proceedings filed, entered and had in said District Court in connection with said cause,

No. 36 The Consolidated Canal Co.
Appellant
vs
A.J. Peters
Appellee

This cause was argued by John D. Pope for Appellant and by Walter Bennett for appellee. Whereupon the cause was submitted Chief Justice Baker did not take part in the consideration of this cause

The Court took a recess until 2 O'clock P.M.

After recess the Court reconvened.

Present. His Honor A.O. Baker C.J.
" " O.T. Rouse A.J.
" " J.J. Stanford A.J.
and J.F. Alexander Clerk.

No. 46. G.W. Travers and Quincy A. Shaw.
Appellants
vs
Michael Welch
Appellee

This cause was argued by Wm Herring and Miss. Sarah Herring for appellants and by W.H. Kimball, for appellee. whereupon the cause was submitted.
Justice Berkhimer did not take part in the consideration of this cause.

It was ordered that the Court stand adjourned until tomorrow at 10 O'clock A.M. January 30th 1895

Chief Justice

Jno J Hawkins Associate Justice

J. L. Bonner " "

" "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix, Wednesday January 30th "

The Court met at 10 o'clock A.M.

Present. A.L. Baker Chief Justice.
O.T. Rose Associate "
J.J. Hawkins " "
J.P. Bethune " "

J.F.B. Alexander Clerk
W.H. Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
J.T. Briggs Bailiff
D.J. Martin Crier

The following Causes were considered and disposed of as follows.

No. 45 The United Verde Copper Co. Appellant
vs
A.G. Oliver Treas etc. Appellee

Argued by J.H. Herndon for appellant and by Mr R.E. Morrison for appellee whereupon it was ordered that the Cause be submitted. Justice Hawkins did not take part in the Consideration of this Cause

No. 46 W.A. Paggs et al Appellants
vs
Hugh McBrinn Appellee

On motion of A.J. Paggs for appellant Consented to by J.H. Herndon for appellee It is hereby ordered that this Cause be submitted on the briefs now on file herein. Justice Hawkins did not sit in this Cause

The Court took a recess until 2 Oclock P.M.

After recess the Court reconvened.

Present, A.L. Baker Chief Justice
O.T. Rose Associate "
J.J. Hawkins " "
J.P. Bethune " "
and J.F.B. Alexander Clerk

The following cases were considered and disposed as follows.

No. 446 W.A. Daggs et al
Appellants
vs
Hugh McBryde
Appellee

On this matter of the reply brief and argument filed by appellants in this Cause on January 17th 1895, It is adjudged by the Court to be scurrilous and containing insulting and offensive language to opposing Counsel, litigant and witnesses, Wherefore it is ordered by the Court that the said brief be stricken from the files of this Court and the Clerk is instructed to remove such brief and all copies thereof from the records of this Court and files thereof.

No. 462 R.L. Woodruff. as Cashier of the Prescott National Bank. a corporation
Appellant
vs
The County of Navajo, in the Territory of Arizona
Appellee

On motion of R.E. Morrison for Appellee J.J. Wilson Esq was entered as associate Counsel for Navajo Co. and On motion of Jeb. Herndon Mess Fitch and Campbell were entered as associate Counsel for Appellant in this Cause.
Justice Hawkins withdrew during the consideration of this Cause. and did not take part therein.

This Cause having been heretofore argued by Counsel for appellant and appellee and submitted and by the Court taken under advisement. and the Court having fully considered the same and being fully advised in the premises, It is ordered. that the judgment of the lower Court herein be and the same is hereby reversed and Cause remanded for new trial. and It is further ordered adjudged and decreed that appellant herein do have and recover of the appellee herein his costs in this Court taxed at. Ninety eight and 15/100 Dollars.

It is hereby ordered that the Court stand adjourned until Tomorrow at 10 Oclock A.M. January 31st 1895.

Chief Justice
Jno J Hawkins Associate "
J. D. Bethune " "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix. Thursday January 31st.

The Court met at 10 O'Clock A.M.

Present. His Honor A.G. Baker Chief Justice
" " O.S. Rouse Associate "
" " J.J. Hawkins " "
" " J.D. Bethune " "

J.F.B. Alexander Clerk
W.K. Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
J.H. Briggs Bailiff
D.H. Martin Crier.

The following Causes and matters were considered and acted on by the Court.

No. 446

W.A. and P.P. Paggs. Defendants and The Phoenix National Bank, and D.A. Abrams. assignee of the Bank of Tempe Intervenors and Appellants.

vs

Hugh McBryan
Appellee

In this Case Counsel for the Appellants W.A. and P.P. Paggs. Defendants and Phoenix National Bank and D.A. Abrams assignee of the Bank of Tempe Intervenors and Appellants vs Hugh McBryan Appellee, A.J. Paggs having filed in this Court a scurrilous brief containing insulting and offensive language towards and applied to opposing Counsel, Parties and witnesses and the Court having so adjudged it and having ordered such brief stricken from the files of this Court; the said A.J. Paggs subsequently filed in this Court a petition reaffirming said scurrilous brief and re asserting his insulting and offensive language to opposing Counsel, litigant and witnesses as used in said brief, It is ordered that the said A.J. Paggs. be and he is hereby cited to appear before this Court on Monday the 17th day of February A.D. 1895 at the hour of 10 O'Clock A.M. and there show Cause why he should not be punished for contempt of this Court.
The Clerk of this Court will forthwith serve a certified copy of this order upon the said A.J. Paggs.

No. ###

John Duke
Appellant
vs
W St. Bergmon
Appellee.

On motion of J.M. Johnson. It is ordered that appellants attorney be granted leave to withdraw his brief herein to add further authorities thereto

No. 105

Jos Maria Dorticos
Appellant
vs
United States of America
Appellee

On motion of Joseph H. Hibbey for appellant. and good cause being shown It is hereby ordered that the Clerk file and Docket. The foregoing entitled Cause in this Court. and appellant be given until May 17th 1895 to file brief and Appellee 5 days thereafter to file his brief therein.

No. #36

The Consolidated Canal Co.
Appellant
vs
N.J. Peters
Appellee

On motion of Walter Bennett for Appellee It is hereby ordered that appellee have 5 days to reply to appellants additional brief filed this day herein.

No. #54

Albert Steinfeld & Louis
Yeckendorf etc.
Appellants
vs
Wm H. Overton Exec. etc
Appellee

On motion of D.M. Franklin for appellant It is ordered that this Cause be submitted on the briefs on file herein.

No. #39

Lila County
Appellant
vs
J.H. Thompson et al
Appellees.

On motion of Wolter Street for appellant It is ordered that the consideration of this Cause be postponed until the February session of this Court.

No. 440 Yuba County
Appellant
vs
J.H. Thompson et al
Appellees

On motion of Webster Street for appellant It is ordered that the consideration of this cause be postponed until the February Session of the Court.

No. 441 Edward H. Bowker et al
Appellants
vs
Yuba County
Appellee

On motion of Webster Street for appellant It is ordered that the consideration of this cause be postponed until the February Session of the Court

No. 442 W.J. Stanfield
Appellant
vs
Of. M. Anderson
Appellee

On motion of E.J. Edwards for appellant It is ordered that the consideration of this cause be postponed until the Feb session of the Court.

No. 461 Jake Marks
Appellant
vs
San Francisco Breweries Co.
Appellee

On motion of J.C. Herndon for appellant It is ordered that this cause be passed until February session of the Court

No. 463 Fred H. Bartlett
Appellant
vs
San Francisco Breweries Co.
Appellee

On motion of J.C. Herndon for appellant It is ordered that this cause be postponed until the February session of the Court.

No. 101 Joseph Lemley
Appellant
vs
The Territory of Arizona
Appellee

It is Hereby ordered that the hearing of this cause be postponed until Feby. 12th 1895

No. 128 Arnold Gold & Silver Mining Co. et al.
Plaintiffs in Error
vs
S. C. Lowe
Defendant in Error.

On motion of J.H. Herndon for Plaintiffs in Error
It is ordered that the consideration of
This cause be postponed until Feby 12th 1895

No. 138 W. D. Gray et al.
Appellants
vs
Daniel Noonan
Appellee

By consent of all the attorneys in this cause
It is ordered that the hearing
of the same be postponed until Feby 12 1895

No. 150. The North western National Bank et al
Appellants
vs
B. M. Arseman et al
Appellees

On motion of J.H. Herndon for appellants
It is ordered that this cause be passed
until Feby. 12 1895

No. 151 Alfred H. Thorn
Appellant
vs
Fred G. Hughes
Appellee

On motion of W.H. Barnes for appellee It is ordered
that appellee have until tomorrow to file brief
herein.

No. 458 — J. D. Satterwhite, Appellant vs Pima County, Appellee — It is ordered that this cause be passed until the February session of the Court

No. 459 — Fred. H. Hughes, Appellant vs A. Lazard, Appellee — This cause was signed by D. M. Franklin for appellee and ordered submitted. Justice Bethune did not take part in the consideration of this cause.

No. 435 — E. J. Smith, Appellant vs Bruce Perley, et al., Appellees. — By consent of Counsel herein this cause is hereby passed until Feby. 17 - 1895

The Court took a recess until 2 O'clock P. M.

After recess. the Court reconvened

Present His Honor A. L. Baker, Chief Justice.
" " C. D. Rose, Associate "
" " J. J. Hawkins " "
" " J. H. Bethune " "
and Finley Anderson, Clerk

On motion of Mr. Fitch, It was ordered that D. M. McKenney be admitted to practice on his license from the Supreme Court of California upon Signing the roll of Attorneys and the required oath.

The following order was made and filed, by the Judges of the Court.

In the Supreme Court
Territory of Arizona } January Term 1895

It is hereby ordered that an adjourned term of this Court be held at the City of Prescott, in the Territory of Arizona beginning on the eighth day of July 1895, This order is made in pursuance of section 1934 of the Revised Statutes of the United States. It is further ordered and directed that this Order be entered in the Minutes of this Court.

A. C. Baker Chief Justice
J. J. Hawkins Associate Justice
Owen T. Rouse " "
Joseph H. Berry " "

Dated Phoenix Arizona
January 31st 1895

The Florence Publishing Co
Appellant
vs
Robert Williams
Appellee

The motion of appellee herein to dismiss and affirm having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the said motion be sustained and that the judgement of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein The Florence Publishing Company and O.M. Carpenter, Leg. Palmer, J. H. Keating and Frank Shields the sureties on the appeal bond herein, the sum of Four hundred and eighty four and 75/100 Dollars lawful money of the United States together with the costs of appellee in this Court taxed at. #13.50

No. 448

Luther Wilson
Appellant
vs
Jas R Lowry, et al.
Appellees

This Cause having been heretofore argued and submitted and by the Court taken under Consideration and the Court having fully Considered the Same and being fully advised in the premises Doth ordered that the Judgment of the lower Court herein be and the same is hereby affirmed and that said appellees recover of and from the said appellant herein his costs in this Court. Taxed at Thirteen Dollars

No. 453

Lionel M. Jacobs
Appellant
vs
Oscar Buckalew
Appellee

This Cause was argued by Mr A. M. Franklin for appellant and by W. H. Barnes for appellee and submitted.

Justice Petticord did not take part in the Consideration of this Cause.

It is ordered that the Court Stand adjourned until 10 O'clock A.M. Tomorrow February 1st 1895

Chief Justice
Associate "
" "
" "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix. Friday February 1st 1895.

The Court met at 10 o'clock A.M.

Present. His Honor A.O. Baker Chief Justice
" " O.F. Rouse Associate "
" " D.D. Hawkins " "
" " E.D. Bethune " "

E.C.B Alexander Clerk
W.K. Meade U.S. Marshal
C.C. Collinwood U.S. Attorney
J.J. Briggs Bailiff
D.J. Martin Crier

The following Causes and matters were considered and acted on

No. 157 Alfred D. Rheem
Appellant
vs
Fred G. Hughes Clerk Board of Supervisors Pima County
Appellee

This Cause was argued by F.J. Heney for appellant and Wm Barnes for appellee and Submitted.

Justice Bethune did not take part in the Consideration of this Cause

No. 164 H.H. Ryder
Appellant
vs
Henry Rixson
Appellee

This Cause was argued by T.B. Early for appellant and upon the brief of appellee submitted.
Chief Justice Baker did not take part in the Consideration of this Cause, Justice Bethune resumed his seat on the bench during the hearing herein.

No. 135. E.J. Schmitt
Appellant
vs
Rowe Perkins et and
L.A. Perkins
Appellees

On motion of L.A. Perkins for appellees It is ordered that he have leave to add other authorities to his brief herein on file.

The following order were made allowing clerks fees and directed to be entered, to wit:

Whereas, J. L. B. Alexander, clerk of the Supreme Court of the Territory of Arizona, has presented to the Court an account for services rendered by him as such clerk and has proved on oath to the satisfaction of the Court that the services therein charged for, have been actually and necessarily rendered and performed as therein stated for the quarter ending March 31st 1894, and whereas said account appears to be just and according to law. It is ordered that the said account amounting to One hundred and ninety three Dollars be and the same is hereby approved.

Done at Phoenix, the Capitol of Arizona this 31st day of January, 1895

A. C. Baker, Chief Justice
Jno. J. Hawkins Associate Justice
Joseph D. Bethune " "
Owen T. Rouse " "

Whereas, J. L. B. Alexander, clerk of the Supreme Court of the Territory of Arizona, has presented to the Court an account for services rendered by him as such clerk and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated for the quarter ending June 30th 1894, and whereas, said account appears to be just and according to law. It is ordered that the said account amounting to Six Dollars be and the same is hereby approved

Done at Phoenix, the Capital of Arizona, this 31st day of January, 1895

A. C. Baker, Chief Justice
Jno. J. Hawkins Associate Justice
J. D. Bethune " "
Owen T. Rouse " "

Whereas, J. L. B. Alexander, Clerk of the Supreme Court, of the Territory of Arizona, has presented to the Court an account for services rendered by him as such Clerk and has proved on oath to the satisfaction of the Court that the services therein charged for, have been actually and necessarily rendered and performed as therein stated for the quarter ending September 30th, 1894, and whereas said account appears to be just and according to law. It is ordered that the said account amounting to Twenty and 7/100 Dollars be and the same is hereby approved.

Done at Phoenix, the Capitol of Arizona, this 31st day of January, 1895.

A. C. Baker Chief Justice
Jno. J. Hawkins Associate Justice
Joseph D. Bethune " "
Owen T. Rouse " "

Whereas, J. L. B. Alexander, Clerk of the Supreme Court of the Territory of Arizona, presented to the Court an account on the 11th day of July, 1894, for allowance in the sum of One hundred and fifty and 9/100 Dollars for his attendance on the sessions of this Court as Clerk thereof, during the months of March and July, 1894, which said account was duly allowed for said sum of $150.90, and whereas it appears that among said sum allowed the sum of $42.60 was for his said services rendered during the month of March, 1894, which has subsequently been allowed by the Treasury Department and the remainder of said allowance of $150.90, to wit: $108.30, has subsequently been disallowed by the Treasury Department for the reason that the same should have been included in the Clerk's account from July 1st to September 30. 1894, for the fiscal year 1895, and whereas said Clerk desires that the Court at this time reallow to him the said sum of $108.30, so disallowed by the said Treasury Department for said reasons for such services and mileage in attending the sessions of this Court during the July Term, 1894, of the Court in order that he may

again present said account for allowance for such services to the Attorney General as required by law, and having proved on oath to the satisfaction of this Court, that the services and mileage therein charged for have been actually and necessarily rendered and performed by him as therein charged and has not been paid therefor and it also appearing from the records of this Court that the days hereinafter mentioned to wit. July 2, 3, 5, 6, 7, 8, 10 and 11, in the year, 1894, and for which services are charged, the Court was open for business and whereas said account appears to be just and according to law. It is ordered that the said account amounting to the sum of One hundred and eight and 30/100 Dollars be and the same is hereby approved and reallowed for said sum of $108.30

Done at Phoenix, the Capitol of Arizona, this 31st day of January, 1895.

A. C. Baker, Chief Justice
Jno. J. Hawkins Associate Justice
Joseph D. Bethune " "
Owen T. Rouse " "

It is hereby ordered that the Court stand at recess until Tuesday at 10 oclock A.M. February 12th 1895

Chief Justice
Jno J Hawkins Associate "
J. D. Bethune " "
" "

District Court.
Territory of Arizona } Tombstone, Tuesday, February 19th 1895.
Phoenix, Tuesday, February 17th 1895.

The Court met at 10 O'clock A.M. this day.

Present:

His Honor A.O. Baker — Chief Justice
" " O.F. Rouse — Associate "
" " E.J. Hawkins " "
" " E.D. Bethune " "
E.C.B. Alexander — Clerk
W.H. Meade — U.S. Marshal.
E.E. Ellinwood — U.S. Attorney.
J.V.S. Briggs — Bailiff.
Henry F. George — Crier.

The following Causes and Matters were considered and disposed of as follows Vowit:

In the matter of the Contempt Proceedings against A.J. Driggs. To Show Cause at this hour and day. why he should not be punished for Contempt of this Court. Said A.J. Driggs having been heretofore cited to appear. to show such Cause, Said A.J. Driggs appeared in person on his own behalf. and Show his application for further time within which to Make and file answer to Such Proceedings and Citation. It is Hereby ordered that Said A.J. Driggs have until Thursday the 14th day of February 1895. at 2 O'clock P.M. of that day. to make and file such answer!

No. 130 Nat. E. Hawkins
Appellant
vs.
A. Wentworth
Appellee

Chief Justice Baker did not participate in the consideration of this Cause

This Cause having been heretofore argued by respective Counsel and submitted and by the Court taken under consideration and the Court. having fully considered the same and being fully advised in the premisses, It is Ordered that the

Judgment of the lower Court. in this Cause be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein do have and recover of and from Nat. E. Stumbo. the appellant herein and D.B. Bugg, W.D. Scribner, Samuel Hunnicutt, Plaintiffs the Sureties on the Appeal Bond herein. the sum of Twenty eight and 50/100 Dollars the costs of said appellee in the lower Court. and the costs of appellee in this Court taxed at Fourteen Dollars.

No. 476 Maricopa County
Appellant
vs
Neri Osborne
Appellee

This Cause having been heretofore argued by respective Counsel and submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises. It is Ordered that the judgment of the lower Court in this Cause be and the same is hereby reversed. and that the lower Court dismiss the demurrer of appellant. filed therein to appellee's Complaint therein and enter judgment for said appellant. therein. and it is further ordered and adjudged that the appellant herein do have and recover of and from the appellee herein its Costs incurred in this Cause in the lower Court and in this Court. taxed at the sum of One hundred and five and 70/100 Dollars.

No. 476 Maricopa County
Appellant.
vs
R.T. Risley
Appellee

This Cause having been heretofore argued by respective Counsel and submitted and by the

Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is Ordered that the Judgment of the lower Court in this Cause be and the same is hereby Reversed. And that the lower Court do sustain the demurrer of appellant. filed therein to appellee's complaint therein and enter judgment for said appellant therein and it is further ordered and adjudged that the appellant herein do have and recover of and from the appellee herein its costs incurred in the lower Court and in this Cause, in this Court taxed at the sum of One hundred and two Dollars.

No. 101. Joseph Bixby
Appellant
vs
The Territory of Arizona
Respondent.

On motion of Wm Herring for Respondent and Consented by A.R. English for appellee and It is Hereby ordered that this Cause be submitted on the Briefs on file therein.
Justice Bethune did not take part in this Cause

No. 128 Arnold Gold & Silver Mining Co. et al
Plaintiffs in Error
vs
C.O. Towne
Defendant in Error

On motion of Mr Norris for Plaintiffs in Error. It is ordered that the consideration of this Cause be passed until tomorrow morning.

No. 150 The Northwestern National Bank et al
Appellants
vs
B.M. Freeman et al
Appellees

It is ordered that the consideration of this Cause be passed until tomorrow morning.

No. 105 — Jose Maria Dorsillow, Appellant vs United States of America, Respondent. — On motion of E. E. Ellinwood Esq. attorney. It is ordered that Respondent have 10 days from this day to file brief herein.

No. 139 — Gila County, Appellant vs J. H. Thompson et al, Appellees — On motion of Mr Edwards. for appellees. Consented to by Mr Street for appellant. It is ordered That this cause be set for hearing tomorrow morning.

No. 140 — Gila County, Appellant vs J. H. Thompson et al, Appellees — On motion of Mr Edwards for appellees Consented to by Mr Street for appellant It is ordered that this cause be set for argument on tomorrow morning.

No. 143 — W. D. Penfield, Appellant vs Olof G. Anderson, Appellee — On motion of Mr Edwards for appellees Consented to by Mr Street for appellee It is ordered that this cause be set for argument on tomorrow morning.

No. 135 — E. J. Bennett, Appellant vs Bruce Kerley ad ministrator of the Estate of O. J. Stevens deceased and S. A. Kerley, Appellees. — This cause was argued by Mr. Kerley for appellees. and by Mr Ainsworth for appellant submitted on his brief. filed. Whereupon it was ordered submitted.

Chief Justice Potter withdrew during the argument of this cause and did not take part in its consideration

The Court took recess until 2 Oclock P. M.

After Recess. The Court Reconvened

Present His Honor C.J. Rouse A.J.
" " J.J. Hawkins A.J.
" " E.P. Bethune A.J.
and E.F. Alexander Clerk.

No. 138

W.D. Gray et al
Appellants
v/s
Daniel Noonan
Appellee

This Cause was argued by Mr Moriarity and Mr Williams for appellants and by Mr Perley for appellee. and ordered submitted.
Chief Justice Rouse did not take part in the consideration of this Cause

It is Hereby ordered that the Court Stand adjourned until tomorrow at 10 O'clock A.M. February 13th 1895

Chief Justice
J.J. Hawkins Associate "
E.P. Bethune " "
" "

Supreme Court.
Territory of Arizona } January Term 1895.
Phoenix, Wednesday February 13th 1895.

The Court met at 10 O'clock A.m.

Present His Honor A.O. Baker Chief Justice
" " O.S. Rouse Associate "
" " J.J. Hawkins " "
" " J.P. Berthune " "

J.V.B. Alexander Clerk
W.H. Meade U.S. Marshal
L.E. Ellinwood U.S. Attorney
J.B. Briggs Bailiff
Henry V. George Crier

The following matters and Causes were considered and disposed of as follows.

No. 459 J.J. Bottrell et al Appellants vs J.D. Jones Appellee

It is hereby ordered that the motion of Appellants to amend Transcript herein be granted. And on motion of Mr Millay for appellee herein Consented to by Mr Unsworth for appellants, herein It is ordered that this Cause be submitted on briefs upon the filing of appellants reply brief herein

No. 475. Arnold Gold & Silver Mining Co. et al Plaintiffs in Error vs T.C. Bowman Defendant in Error

It is hereby ordered that the motions of Plaintiffs in Error herein to dismiss writ of Error and to strike out Plaintiffs in Error Brief be submitted.

No. 93. Wm Judison, & W.G. Maguire Appellants vs The Territory of Arizona Respondent.

On motion of the attorney It is hereby ordered that W.H.H. Harris be entered associate Counsel for the Respondent in this Cause

No. 94 — Chas. L. Wagner. Appellant vs The Territory of Arizona Respondent

On motion of the Attorney General It is hereby ordered that Mr. Morris be entered associate Counsel for the Respondent in this Cause.

No. 95 — D. B. Wissinger Appellant vs The Territory of Arizona Respondent.

On motion of the Attorney General It is hereby ordered that Mr. D. G. Morris be entered Associate Counsel for the Respondent in this Cause

No. 129 — Gila County Appellant vs J. H. Thompson et al Appellees

On motion of Mr Edwards It is ordered that Mess Fitch & Campbell be entered associate Counsel for appellees herein. Whereupon this Cause was argued by Mr Street for appellant and by Mr. Edwards and Mr Campbell for appellees and ordered submitted. Justice Rouse withdrew during the argument of this Cause.

No. 113 — H. D. Stanfield Appellant vs Chas. D. Anderson Appellee

This Cause was argued by Mr Edwards for Appellant and by Mr Street for appellee and ordered submitted. Justice Rouse did not take part in the consideration of the Cause

No. 110 — Gila County Appellant vs J. H. Thompson et al Appellees

On motion of Mr Street for Appellant Consented to by Mr Edwards for Appellees. It is Ordered that this Cause be submitted on briefs on file. Justice Rouse did not take part in this Cause

The Court took recess until 2 O'clock P.M.

After recess. The Court reconvened.

Present His Honor. A.L. Baker C.J.
J.J. Hawkins A.J.
J.P. Bethune A.J.
and J.C.B. Alexander Clerk

No 468

The Atlantic and Pacific R.R. Co.
Defendant and appellant
vs.
The Reliance Lattle Co.
Plaintiff and appellee

On motion of Mr J.S. Wilson for the appellee herein. It is ordered that appellee have leave to file a certified copy. of the appeal bond of appellant herein filed in the lower. and motion to dismiss the appeal herein.

No. 441

Edward M. Cook et al
Appellants
vs
Gila County.
Appellee

This cause was argued by Mr. Street for appellant. and by Jos. Campbell for appellee ~~and submitted~~ submitted.

Justice Rowe did not take any part in the consideration of this case

On motion of E.J. Edwards. for appellees in Cases Nos. 439, 440 and 441. It is ordered that Mess Field and Campbell be entered associate Counsel for the appellees in said Cases.

It is hereby ordered that the Court Stand adjourned until tomorrow at 10 O'clock A.M. February 1st 1895

J.J. Hawkins Chief Justice
J.P. Bethune Associate "
" "
" "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix Thursday February 14th 1895

The Court met at 10 O'clock A.M.

Present, His Honor A.O. Baker C.J.
" " O.T. Rouse A.J.
" " J.J. Hawkins A.J.
" " J.P. Bethune A.J.

J.J. Alexander Clerk
W.K. Meade U.S. Marshal
J.F. Briggs Bailiff
H.E. George Crier.

The following Causes and matters were considered and disposed of as follows.

No. 460

J.K. Wyrtzinger et al
Plaintiffs in Error.
vs
E.D. Jones
Defendant in Error

On motion of Mr Ainsworth for Plaintiffs in Error leave was granted him to amend the writ of Error herein as prayed for by his motion and affidavit filed this day herein, and consented by Mr Woodward for Defendant in Error herein.

No 94

Chas C. Magner
Appellant
vs
The Territory of Arizona
Respondent

On motion of Mr J.M. Johnston for Appellant herein and consented to by the Attorney General It is Ordered that the Consideration of this Cause be continued until the July Term 1895 of this Court.

No. 95

D.B. Wissinger
Appellant
vs
The Territory of Arizona
Respondent

On motion of the Attorney General consented to by Mr Wilson for the appellant. It is ordered that the Consideration of this Cause be continued until the July Term 1895 of this Court

No. 468 — The Atlantic and Pacific R.R.Co. Appellant v. The Defiance Castle Co. Appellee — It is hereby ordered that this cause be passed.

In the matter of the Contempt proceedings against A.J. Peggs. To show cause why he should not be punished for contempt of this Court. On motion of E.B. Woodward for said A.J. Peggs. It is ordered that the hearing of said matter be continued until tomorrow at 10 Oclock A.M.

No. 95 — Wm Jackson & W.J. Murphy Appellants v. The Territory of Arizona Respondent. — It is ordered that the consideration of this cause be passed

No. 460 — The Northwestern National Bank et al Appellants v. B.M. Brennan et al Appellees — On motion of Mr Norris for appellants It is ordered that the consideration of this cause be passed until tomorrow Morning.

No. 455 — Yuba Consolidated Reservoir & Irrigation Company etc, et al Appellants v. W.H. Linn et al etc. Appellees. — On motion of Mr L.S. Ainsworth for appellees consenting to cause passed. It is ordered that the consideration of this cause be continued until the July Term of this Court. And that appellees have 60 days to file their brief after appellants brief is filed herein

No. 458 Thos. D. Butterworth
Appellant
vs
Pima County
Appellee

On motion of Mr Butterworth for appellant
It is ordered that the consideration of this cause
be continued until the July Term 1895 of this
Court.

No. 461 Julia Marks
Appellant
vs
San Francisco Breweries Co.
Appellee

On motion of Mr J. M. Johnston for appellee
this cause is ordered set for argument on
tomorrow

No. 462 Fred G. Bretch
Appellant
vs
San Francisco Breweries Co.
Appellee

On motion of Mr Johnston for appellee
this cause is ordered set for argument on tomorrow

No. 463 A. J. Root
Appellant
vs
Hurley Fay
Appellee

On motion of Mr Norris for appellant It is
ordered that appellant time for filing brief herein
be extended 20 days more.

It is Ordered that the Court stand adjourned until tomorrow at 10.
O'clock A. M. February 15th 1895

Chief Justice
Associate "
" "
" "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix, Friday February 15th 1895

The Court met at 10 a.m.

Present. His Honor A.O. Baker C.J.
" " O.T. Rowe A.J.
" " D.D. Hawkins A.J.
" " J.D. Bethune A.J.

J.F.B. Alexander Clerk
W.K. Meade U.S. Marshal
J.S. Briggs Bailiff
A.V. George Crier

The following Causes and matters were considered and disposed of as follows:

No. 444 W.A. Driggs & O.B. Driggs.
et al
Appellants
vs
Hugh McGrum
Appellee

In this case in the matter of the proceedings in Contempt against A.J. Driggs. one of the attorneys in this Cause for filing in this Court on the 14th day of January 1895 a reply brief which was scurrilous, impulting him in his language towards attorney for appellee, Appellee and his witness Herein, the said A.J. Driggs appeared in Person and by his attorneys Mess C.H. Edwards and J.B. Woodward on this day before the Court and in addition to the answer filed by him in said Contempt proceedings Herein he asked leave to withdraw his pleadings filed Herein, on January 31st 1895. Which he considered the language contained in said Scurrilous brief. Upon the conclusion of the remarks made by Mr Edwards for said A.J. Driggs and by said A.J. Driggs on his own behalf. and the Court having considered same. It is ordered that the apology offered by said A.J. Driggs as contained in his answer and expressed before the Court Herein for having filed Scurrilous reply brief and subsequently

said petition reasserting the insulting language contained in said brief, be accepted and that said proceedings in contempt be dismissed and said A.J. Dugas go hence. and that he pay the costs of the proceedings had in this Cause. with respect thereto.

No. 446 W.A. Dugas and C.B. Dugas et al
Appellants
vs
Hugh McGrann
Appellee

On motion of A.J. Dugas for appellants it is ordered that appellants have 5 days to file reply brief herein. and that at the expiration of said 5 days from this date this Cause be submitted on the briefs then on file herein.

No. 93 Willis Jackson and W.J. Murphy
Appellants
vs
The Territory of Arizona
Respondent

On motion of Mr Wilson for appellants consented by Mr Norris for the Territory this Cause is ordered set for this afternoon at 2 P.M.

No. 450 The Northwestern National Bank et al
Appellants
vs
B.M. Freeman et al
Appellees

On motion of Mr Norris for appellants consented to by Mr Herrington for appellees it is ordered that the consideration of this Cause be continued until tomorrow morning. and that appellees have leave to refer to certain pages of the transcript in his brief on file.

No. 428 Arnold Gold and Silver Mining Co. et al
Plaintiffs in Error
vs
L.O. Brown
Defendant in Error

On motion of Mr Norris for Plaintiffs in Error, it is ordered that Plaintiffs in Error herein have leave to serve Defendant in Error. herein at this time with copy of their brief filed 4th day July 10th 1894. herein.

224

No. 4444 Annie Badman Administratrix of the Estate of John Badman deceased
Appellant
vs
The Old Dominion Copper Co
Appellee

The motion of Appellant filed in this Cause to substitute Transcript No 2 for Transcript No. 1. filed herein Reading Now heretofore submitted and by the Court taken under Consideration and the Court Having fully considered the same It is ordered that said motion be and the same is hereby denied.

No. 461 Jake Marks
Appellant
vs
San Francisco Breweries Co.
Appellees

This Cause was On motion of Mr Norris for appellant Consented to by Mr Johnston for appellee Ordered submitted on the brief now on file herein.

No. 462 Fred G. Bretch
Appellant
vs
San Francisco Breweries Co
Appellee

This Cause was argued by Mr Norris for appellant and by Mr Johnston for appellee. and reply argument of Mr Norris was postponed until other recess.

The Court took recess until 2 o'clock P. M.

After recess the Court Reconvened Present: His Hon A.C. Sanders C.J.
" " O.J. Rose A.J.
" " J.P. Beatty A.J.

and proceeded with the

460 Fredy Brecht
Appellant
vs
San Francisco Breweries Ltd.
Appellee

Motion of Mr Morris for appellant for rule on clerk of the District Court of Maricopa Co. to certify up to this Court certain finding offered by appellee and refused by the lower Court therein, was denied, whereupon he proceeded with his reply argument: at the conclusion of which the Cause was ordered submitted, and appellants granted 5 days from this date to file reply brief therein,

No 463. Willis Jackson & W. J. Maupin
Appellants
vs
The Territory of Arizona
Appellee

This Cause was argued by Mr Wilson for appellants and by Mr Morris for Respondent and ordered submitted.

Justice Hawkins withdrew during the arguments in Cases Nos. 461, 462 & 463. and did not take in their consideration

It is Ordered that the Court Stand adjourned until 10 O'clock A.M. tomorrow February 16th 1895

Chief Justice
Associate "
" "
" "

January Term 1895.
Phoenix, Saturday, February 16 1895.

Superior Court
Territory of Arizona

The Court met at 10 o'clock A.M.
Present.

His Honor. A.O. Baker Chief Justice
" " O.S. Rouse Associate "
" " J.J. Hawkins " "
" " J.P. Bethune " "

J.F. Alexander Clerk
W.H. Meade M.D. Marshall
J.F. Briggs Bailiff
H.V. Monge Crier.

The following causes were considered and disposed of as follows.

On motion of Mr L.T. Ainsworth It is ordered that Thos.P. Bennett be admitted to practice in this Court on his certificate of admission to practice in the District Court of Maricopa County upon his taking the usual oath and signing the roll of attorney in this Court.

On motion of Mr L.T. Ainsworth It is ordered that Mr. Willis be admitted to practice in this Court on

No. 459 J.J. Bottrell et al
Appellants.
vs.
H.D. Hutton
Appellee

On motion of Mr Bennett for appellee It is ordered that appellee be permitted to correct citation in his brief herein.

. 465 Juan Flores
Appellant
vs
H.E. Kemp et al
Appellees

It is ordered that appellant in this cause be permitted to file thru Transcript on appeal and brief in this Court without the prepayment of the appearance fee required by the rules.

. 468 Arnold Gold & Silver Mining Co et al
Plaintiffs in Error
vs
F.O. Bowman
Defendant in Error

It is hereby ordered that the motion of Defendant in Error herein to dismiss the writ of Error herein be and the same is overruled as well as the motion to strike out Plaintiffs in Error brief filed herein.

. 478 Arnold Gold & Silver Mining Co. et al
Plaintiffs in Error
vs
F.O. Bowman
Defendant in Error

On Motion of Mr Norris for Plaintiffs in Error It is Ordered that Plaintiffs in Error be granted leave and permission to withdraw a copy of their brief from the files of the Court for perusal by the opposite Counsel. therein.

. 460 E.R. Murphy et al
Plaintiffs in Error
vs
John J. Jones
Defendant in Error.

On motion of Mr Ainsworth for Plaintiffs in Error Consented to by Mr Woodward for Defendant in Error, It is Ordered that this Cause be submitted on its merits on the briefs now on file herein together with Defendants in Error Motion to dismiss

. 328 San Pedro Cattle Company
Appellant
vs.
G.M. Williams
Appellee

This Cause having been heretofore argued by respective Counsel and submitted to the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that

and it is further ordered adjuged and decreed that the appellee herein do have and recover of and from the appellant herein. and H.E. Farey and H.B. Denney. the Sureties on the appeal bond herein the sum of. Two thousand Seven hundred and fifty eight 25/100 Dollars {#2758.25} Together with interest on the sum of Two thousand Dollars {#2000.} from March 16th 1891, at the rate of Ten per cent per annum until paid and interest on Seven hundred and fifty eight 25/100 Dollars {#758,25} from March 16th 1891 at the rate of Seven per cent per annum until paid. and the sum of Twenty one 55/100 Dollars {#21.55}. Costs of the lower Court. and the further sum of Fifty five {#55.00} ——— Dollars Costs in this Court incurred by appellee herein.

It is ordered that this Court Stand adjourned until Monday the 18th day of February 1895 at 10. A.M.

Chief Justice

Jno Hawkins Associate

J. D. Bethune " "

" "

Supreme Court
Territory of Arizona

January Term 1895
Phoenix Monday February 18th 1895

The Court met this day at 10 O'clock A.m.

Present.

His Honor A.O. Baker Chief Justice
" " O.F. Rowe Associate "
" " J.J. Stanford " "
" " J.H. Bethune " "

J.J. Alexander Clerk
E.E. Ellinwood U.S. Attorney.
J.J. Briggs Bailiff
H.F. George Crier

The following Cases were Considered and disposed as follows:

No. 450 The Northwestern National Bank et al
Appellants
vs
W.M. Freeman et al
Appellees

Motions of Appellants to strike out Appellees briefs herein were ordered submitted

No. 455 Gila Bend Irrigation Reservoir Co. et al.
Appellants
vs.
W.H. Linn et al.
Appellees

Motion of Jo.S. Perry for Appellants It is ordered that Appellants have until 15 days before the commencement of the July Term 1895 of this Court to file its reply brief herein.

No. 428 Arnold Gold & Silver Mining Co. et al
Plaintiff in Error
vs
F. O. Bowan
Defendant in Error

On motion of J. H. Wright for Defendant in Error. It is ordered that the Order heretofore made denying his motion to dismiss be reconsidered said motion be re-submitted

The Court took a recess until 2 O'clock P.M.

The Court reconvened after recess.
Present
His Hon. A. A. Baker C.J.
" " O. J. Rowe A.J.
" " J. J. Hawkins A.J.
" " J. P. Bethune A.J.
and J. F. B. Alexander Clerk

The following causes were considered and disposed of

No. 428 Arnold Gold & Silver Mining Co. et al
Plaintiffs in Error
vs
F. O. Bowan
Defendant in Error

It is ordered that the motion of Defendant in Error to dismiss filed herein be denied.
On motion of J. H. Wright he was granted 5 days to file reply brief herein and cause ordered submitted on briefs.

No. 430. The Northwestern National Bank. et al
Appellants
vs
D. M. Freeman et al
Appellees

It is ordered that Appellants motions to strike out Appellees briefs herein be denied and Appellants the Riordan Merchantile & Arizona Lumber Company be granted 20 days to file reply briefs and that Appellant Northwestern National Bank be granted until Feby 24 1895 to file reply brief herein. Whereupon Mr. J. Herrington argued this cause on behalf of the Appellees. and cause was submitted by Appellants on the briefs now on file and to be filed as hereinbefore directed.
Justice Hawkins did not take part in

It is ordered that this Court Stand adjourned until Saturday at 12 Oclock A.M. February 23rd 1895.

Chief Justice
Associate "
" "
" "

Supreme Court. } January Term 1895
Territory of Arizona } Phoenix, Saturday February 23rd 1895

The Court met at 9 o'clock P.M.

Present His Honor A.O. Baker Chief Justice
O.T. Rouse Associate "
J.J. Hawkins " "
J.D. Bethune " "

A.L.B. Alexander Clerk
M.H. Meade U.S. Marshall
E.E. Ellinwood U.S. Attorney
J.J. Briggs - Bailiff
H.C. George Court

The following Causes and matters were considered and disposed of:

No. 428 Arnold Gold and Silver Mining Co et al
Plaintiffs in Error
vs
F.O. Bowan
Defendant in Error.

On motion of J.H. Wright for Defendant in Error, in this Cause it is ordered that he have leave to withdraw a copy of Defendants in Error Brief herein for Review on opposite Counsel.

106 Jose Maria Dortillon
Appellant
vs
United States of America
Respondent

In this Cause Jos. H. Libbey attorney for appellant having filed an application of appellant under oath showing that appellant is unable to pay the cost of the clerical services in this Case required, and requesting for one writ on the Clerk of this Court to perform such clerical services as may be required in

and about this cause. It is ordered that the clerk of this Court perform such clerical services on behalf of said appellant as may be required in this cause at the cost of United States, the respondent herein

No. 168

The Atlantic and Pacific R.R. Co,
Appellant

vs

The Defiance Cattle Company
Appellee

In this cause it is ordered that the motion of appellee to affirm filed herein be submitted, and on motion of Mr E.E. Ellinwood for appellant it is further ordered that appellant have 30 days to file brief herein.

No 93

Willis Jackson and W.J. Maupin
Appellants

vs

The Territory of Arizona
Respondent

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the Court herein be and the same is hereby reversed and caused remanded for new trial in the Court below.

No 101

Joseph Burby
Appellant
vs
The Territory of Arizona
Respondent.

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the lower Court herein be and the same is hereby reversed, and that Joseph Burby the appellant herein be discharged.

No. 104 Felix Bustemonte
Appellant
vs.
United States of America
Respondent

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby reversed and that Felix Bustemont the appellant herein be discharged,

No. 107 Albino Martinez
Appellant
vs
The Territory of Arizona
Respondent

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the Court below be and the same is hereby reversed and Cause remanded for new trial, in the lower Court.

No. 381

The Southern Pacific Company
Appellant
vs
William McGill
Appellee

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is Ordered that the Judgment of the lower Court herein be and the same is hereby reversed and cause remanded for new trial in the lower Court, and it is further ordered adjudged and decreed that the appellant herein do have of and from the appellee herein its costs in the lower Court in this cause incurred and its costs in this Court taxed at Eighty eight and 10/100 Dollars.

No 389

J. D. Kinnear
Plaintiff
vs
Dennis Kinnear P. H. Cooley
and P. J. Pelehanty
Defendants and Appellees
and
William Skinner
Intervenor and
Appellant.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellees herein do have and recover of and from the appellant herein and J. Knox Corbett and O. D. Doty the Sureties on the

the costs of appellees in the Court below and the Costs of this Court taxed at Twelve Dollars

No 421 The Silver King Mining Company
Appellant
vs
Jesse Brown
Appelled

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed, and it is further ordered adjudged and decreed that the appellee herein do have of and from the appellant herein and D. D. Stevens and A. Williams the Sureties on the appeal bond herein the sum of Two hundred and forty four Dollars, the amount of the Judgment of the Court below, and the sum of sixty and 40/100 Dollars the costs of appellee in the lower Court. and his costs in this Court taxed at Twelve Dollars.

No 422 The Silver King Mining Co.
Appellant
vs
Jesse Brown
Appelled

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court be and the same is hereby affirmed and It is further ordered adjudged

Recover of and from the appellant herein and P. L. Stevens and R. Williams the Sureties on the appeal bond herein the sum of One Hundred Dollars with legal interest thereon from the 9th day of June 1893 until paid and the sum of Sixty Six and 20/100 Dollars Costs of appellee in the lower Court and his costs in this Court Taxed at Twelve Dollars.

No 421

George Orasin
Appellant

vs.

The City of Tombstone of the Territory of Arizona, George St. Pitts, Fred Buss, J. W. Bartholomew C. B. Darbell, and John Privilla
Appellees

The motion for rehearing filed by appellant herein having been heretofore submitted, and the Court having fully considered the same and being advised in the premises, It is ordered that said motion be and the same is hereby denied and that the judgment of the lower Court herein stand affirmed.

No 33

J. M. Evans
Appellant

vs.

J. W. Blankenship
Appellee

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that that the Judgment of the lower Court herein be and the same is hereby affirmed and It is further ordered and adjudged that the appellee herein do have and recover of and from the appellant herein and Charles Goldman and E. Yanz the Sureties on the appeal bond herein the sum of forty two and 70/100 Dollars. Appellees Costs

in the lower Court and the costs of this Court taxed at.

No. 435 E. J. Bennett
Appellant
vs
Bruce Perley Administrator of
the Estate of L. D. Stevens deceased
and P. S. Perley
Appellees

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises doth order and adjudge that the judgment of the lower Court therein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellees herein do have and recover of and from the appellant herein and Henry Ledlemp and M. W. Messinger the Sureties on the appeal bond herein the sum of Ten and 35/100 Dollars their costs in the lower Court and the sum of Dollars their costs in this Court.

No. 440 Yuba County
Appellant
vs
J. H. Thompson, Chas Butler, L. Batcheller, W. B. McNelly, J. H. Wilson, F. W. Westmeyer, Alex. Grayson, W. H. Pendleton, Geo. N. R. Hunt, J. Redmon, Damon Murphy, Wm McBrudden, A. R. Norris, J. Kennedy, J. A. Pascoe, J. Z. Dexter, O. M. Anderson, J. J. Lippin, J. H. Baker, Lawrence A. Ryan, J. H. Newton, W. J. Gann, W. H. Beard, M. W. Brennan, L. Benhurt, W. S. Van Wagner, L. H. Kenyon, and J. H. Lawrence,
Appellees.

submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellees herein do have and recover of and from the appellant herein the sum of Dollars their costs in the lower Court. and their costs in this Court taxed at Eleven and 50/100 Dollars

No. 4444

John Burke
Appellant
vs
W. H. Ferguson
Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that appellee herein do have and recover of and from the appellant herein and Jo. H. Smith and G. Schuerman the sureties on the appeal bond herein, the sum of Two thousand Dollars. with interest thereon at the rate of seven per cent per annum from November 13th 1893 until paid and the sum of ninety three and 80/100 Dollars the costs of appellee herein in the lower Court and his costs of this Court taxed at Thirty Dollars.

No ###

W. S. Stanfield
Appellant
vs.
Olof M. Anderson
Appellee

This Cause having been heretofore argued by respective Counsel and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the Judgment of the Lower Court herein be and the same is hereby reversed and Cause Remanded for new trial. and it is further Ordered adjudged and decreed that the appellant herein do have and recover of and from the appellee herein his costs in the Court below. incurred in this Cause and his costs in this Court taxed at the Sum of Twenty one Dollars.

No ###

Annie Leadman administratrix of the Estate of John Leadman deceased
Appellant
vs
The Old Dominion Copper Company
a corporation
Appellee

Comes now Wm H. Barnes Esq. attorney for appellant herein and moves the Court to dismiss the appeal herein. Wherefore it is ordered that the appeal in this Cause be and the same is hereby dismissed and that appellee herein do have and recover of and from the appellant herein his costs in the Lower Court. by them incurred in this Cause and his costs in this Court taxed at Fifteen and 50/100 Dollars.

No 444 W. D. Scribner
Appellant
vs
The County of Cochise
Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the lower Court therein be and the same is hereby affirmed, and it is further adjudged and decreed that the appellee herein do have of and from the appellant herein, and J. B. Mims and J. N. McDonough, the sureties on the appeal bond herein the sum of three and 75/100 Dollars. the costs of appellee in the Court below and the costs of this Court taxed at. Ten Dollars -

No. 445. United States of America
Appellant
vs
Isabel Bickshaw, Leslie Webb
and Abel Wimod
Appellees

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is Ordered that the appeal herein be and the same is hereby dismissed

No 451

The United Naval Copper Co
Appellant
vs
A.G. Oliver. Treasurer and Ex officio Tax
Collector of Madapai County.
Appellee

This Cause having been heretofore argued by respective Counsel and submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the Judgment of the lower Court herein be and the same is hereby affirmed. and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein. and W. E. Hazelhurst and Hughs Richards, the Sureties on the appeal bond herein. the sum of Seven dollars the costs of appellee herein in the Court below and his costs in this Court taxed at Fifteen Dollars.

No. 453

Lionel M. Jacobs
Appellant
Vs.
Oscar Brickalow
Appellee

This Cause having been heretofore argued and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the Judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the Appellee herein do have and recover of and from the Appellant herein and Barrow M. Jacobs and M. P. Bigeman the Sureties on the appeal bond herein, his costs in the Court below together with his costs in this Court incurred in this Cause taxed at Fourteen Dollars.

#56

The Directors of the Insane
Asylum of Arizona
Appellants
vs
G. N. Adams and Isaac P. Titus Jr.
Administrators of the Estate of Isaac P. Titus deceased
Appellees

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is Ordered that the Judgment of the lower Court herein had and the same is hereby affirmed. and it is further ordered adjudged and decreed that the appellees herein do have and recover of and from the appellants herein the sum of Twenty six and 55/100 Dollars their Costs in the Court below and their Costs incurred in this Court taxed at the Sum of Fifteen Dollars.

10 #54

Alfred M. Shaw
Appellant
vs
Fred G. Hughes. Clerk of
the Board of Supervisors of
Pima County
Appellee

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the lower Court herein had and the same is hereby affirmed and it is further ordered adjudged that the appellee herein do have and recover of and from the appellant herein and Rochester Ford. and Benedetto the sureties on the appeal bond herein his costs in the Court below incurred in this Cause and his costs in this Court taxed at.

No 360

D.K. Munsell, P.St. Orme, Chas. Goldman, Est. Gray, Frank Luke, J.E. Walker and R.F. Kirkland.

Plaintiffs in Error

vs.

John T. Jones

Defendant in Error.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court be and the same is hereby affirmed and it is further Ordered and adjudged that Defendant in Error herein do have and recover of and from the Plaintiffs in Error herein and and Henry K. Kemper and C.J. Chandler. the sureties on the bond on Writ of Error herein the sum of Fifteen Hundred Dollars with interest thereon at the rate of Seven per cent per annum from the 7th day of June 1894 until paid. and the sum of One Hundred and Twenty four and 85/100 Dollars his costs and disbursements incurred in the lower Court. in this Cause and the costs of this Court taxed at.

No. 368

United Timber and Timber Company.

Appellant

vs

William Mooney

Appellee

This Cause having been heretofore argued, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered that the judgment of the lower Court herein be and the same is hereby Reversed and Cause remanded for New Trial. and that appellant herein do have of and from the appellee herein its costs and disbursements incurred in the Court below. in this Cause and its costs in this Court taxed at. Fifty Dollars.

In the matter of allowing the Clerk's fee claim for January and February 1895. the following order. was made.

Whereas J.F.B. Alexander Clerk of the Supreme Court of the Territory of Arizona has presented to the Court an account of services rendered by him for attendance on the Sessions of the Supreme Court as such Clerk and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated, and it also appearing from the records of this Court hereinafter mentioned to wit:

January 14th 15th 16th 17th 18th 19th 21st 22nd 23rd 24th 25th 28th 29th 30th and 31st February 1st 12th 13th 14th 15th 16th 18th 23rd

in the year 1895 and for which services and charged the Court was opened for business and did trans act business and whereas said account appears to be just and according to law It is ordered that the said account amounting to the sum of Two hundred and forty three and 80/100 Dollars be and the same is hereby approved

Done at Phoenix in the Territory of Arizona this 23rd day of February 1895

A.O. Baker Chief Justice
Jno J. Hawkins Associate "
Owen T. Rouse " "
Joseph D. Bethune " "

It is Ordered that this Court stand at recess until Monday the 20th day of May 1895 at the hour of 10 o'clock a.m.

Chief Justice
Jno J. Hawkins Associate "
J. D. Bethune " "

Supreme Court } January Term 1895
Territory of Arizona } Phoenix, May 20th 1895.

The Supreme Court Opened at 10 O'clock A.M. this day.

Present His Honor A.C. Baker Chief Justice.
J.F.B. Alexander Clerk.
W.A. Marshal W.K. Meade by his deputy J.W. Blankard
There being no quorum of the Associate Justices of the Court present for the transaction of business the January Term 1895 of the Court is hereby adjourned sine die.

Chief Justice
Jno J Hawkins Associate Justice
" "
" "

Supreme Court. } July Term 1895
Territory of Arizona } Prescott July 8th "

The Court met at 10 Oclock A.M. this day.
Present.

His Honor	A.C. Baker	Chief Justice
" "	O.S. Rouse	Associate "
" "	J.J. Hawkins	" "
" "	J.P. Bethune	" "
J.P.B. Alexander	Clerk	J.O. Dillon Crier
E.E. Ellinwood	U.S. Attorney	Robt. Meador } Bailiffs
W.K. Meade	U.S. Marshal	J.L. Munds }

The following matters and causes were considered and disposed of, as follows:

81 A.J. Alexander et al
Appellants
vs
Frank B. Austin et al
Appellees

On motion of J.P. Pope Esq for appellants it is ordered that he be permitted to put down his brief in this case to the size prescribed by the rules of the Court.

82 J.D. McGlasson and A.J. Chandler
Appellants
vs
D.A. Jerrell
Appellee

On motion of J.P. Pope Esq for appellants it is ordered that he have permission to put down the size of his brief in this case to that prescribed by the rules of the Court.

In the matter of the application of W.E. Crowley for a writ of mandamus against the District Court of Maricopa County and the Honorable A.C. Baker the Judge of said Court. It is ordered that an alternate writ issue in the matter returnable on the 15th day of July 1895 at 10 Oclock A.M. and that the defendants therein have until said day to answer.

On motion of J.B. Herndon Esq. George LeRoy Brown Esq. is hereby admitted to practice in this Court upon his license from the District Court of Yavapai County on the signing of the roll of attorneys of this Court and taking the usual oath.

No. 328

Dan Pedro Cattle Co.
appellant
vs
G.W. Williams
appellee

The motion for rehearing of appellant herein having been considered by the Court and the Court being fully advised in the premises It is Ordered that said Motion for rehearing be and the same is hereby denied.

No. 329

Southern Pacific Co
appellant
vs
Wm McGill
appellee

The motion for rehearing of appellee filed herein having been considered by the Court and the Court being fully advised in the premises It is Ordered that said motion be and the same is hereby denied.

No. 331.

Silver King Mining Company
Appellant
vs
Jesse H. Brown
Appellee

The motion for rehearing of appellant filed herein having been considered by the Court and the Court being fully advised in the premises It is ordered that said motion be and the same is hereby denied.

The Silver King Mining Co.
Appellant
vs
Jesse H. Brown
Appellee

The Motion for rehearing of appellant filed herein having been considered by the Court and the Court being fully advised in the premises It is ordered that the said Motion be and the same is hereby denied.

J. M. Evans
appellant
vs
J. W. Blankenship
appellee

The Motion for rehearing of appellant filed herein having been considered by the Court and the Court being fully advised in the premises It is ordered that the said Motion be and the same is hereby denied.

E. J. Bennett
Appellant
vs
Bruce Berley administrator etc and
O. D. Berley
Appellees.

The Motion for rehearing of appellant filed herein having been considered by the Court and the Court being fully advised in the premises. It is ordered that the said Motion be and the same is hereby denied.

No 318

William Christy
Appellant
vs
Silas Arnold
Appellee

The Motion for rehearing of Appellant filed herein having been Considered by the Court and the Court being fully advised in the Premises. It is Ordered that the said Motion be and the same is hereby denied.

No 460

James R. Murphy, etal
Plaintiffs in Error
vs
John G. Jones
Defendant in Error

The Motion for rehearing of Plaintiffs in Error filed herein having been Considered by the Court and the Court being fully advised in the Premises. It is Ordered that the said Motion be and the same is hereby denied.

No 444

John Burke
Appellant
vs
W. H. Ferguson
Appellee

The Motion for rehearing of appellant filed herein having been Considered by the Court and the Court being fully advised in the premises, It is ordered that the said Motion be and the same is hereby denied.

The Court took a recess until 2 Oclock P.M.

2 Oclock P.M.

After recess the Court met.

Present the Chief Justice and all the Justices & Clerk

The Calendar for the July Term of the Court 1895. was taken up. and the following disposition of the Causes therein was made,

No 94 Chas. L. Wagner
Appellant
vs
Territory of Arizona
Respondent

On motion of R.E. Morrison Attorney for appellant It is hereby ordered that this Cause be continued for the term. the Attorney General Consenting thereto.

No 95 D.B. Wissinger
Appellant
vs
Territory of Arizona
Respondent

On motion of Mr R.E. Morrison Attorney for appellant herein It is ordered that this Cause be and is hereby Continued for the term. the Attorney General Consenting thereto

No 105 Jose Maria Dorlillon
Appellant
vs
United States of America
Respondent

On motion of U.S. Attorney It is ordered that this Cause be set for Hearing tomorrow, the Attorney of appellant not having yet arrived. to be present in Court.

No 106 In the matter of the Petition of O.A. Turney for a writ of Habeas Corpus. Petitioner
vs.
The City of Phoenix,
Respondent.

On motion of Hon Armstrong Jr consented to by Pierce Evans. attorney for Respondent. It is ordered that this cause be and is hereby continued for the term.

No 107 Ramon Ezcarosa
appellant
vs
United States of America
Respondent

On motion of U.S. Attorney, Frank H. Hereford Esq attorney for appellant consenting this cause is ~~Ordered~~ passed for the present.

No 108 Jas. Oscar Doran
Appellant
vs
Territory of Arizona
Respondent

On motion of the Attorney General It is Ordered that this cause be passed until tomorrow morning.

No 131 R.J. Root
appellant
vs
Harley Fay
Appellee

On motion of Mr J.L. Herndon for appellant. It is ordered that this cause be submitted on the briefs herein now on file.

No 411 The California Bridge Co.
Plaintiff in Error
vs
George Busch
Defendant in Error

On motion of Mr A. M. Franklin for Defendant in Error. the motions of Defendant in Error. are hereby ordered Submitted.

No 455 The Gila Bend Res. & Irrigation Co. et als
Appellants
vs
W. H. Finn, Chas B. King et als,
Appellees

On motion of Mr M. H. Barnes for Appellants It is ordered that Mr J. B. Woodward be entered as one of the Counsel for appellant, and that this Cause be set for hearing on Friday July 12th 1895 at 10 o'clock a.m.

No 458 Thos. P. Patterson dc
Appellant
vs
Pima County
Appellee

On motion of Mr Thos. P. Patterson the appellant herein and upon the Stipulation herein filed by counsel on both sides for a continuance of this Cause, to the January Term 1896. of the Court. It is ordered that this Cause be Continued for the term.

No 465

Juan Flores
Appellant
vs
H. E. Kemp. William Christy and
The Salt River Valley Gold Mining Co.
Appellees.

The Motion of appellees to dismiss filed herein having been submitted and the Court having fully considered the same and being fully advised in the premises, It is Ordered that said motion be and the same is hereby sustained, and the appeal herein be and the same is hereby dismissed with Costs.

No 468

The Atlantic and Pacific
Railroad Company
Plaintiff in Error
vs
The Defiance Gaslc Company
Defendant in Error.

It is hereby ordered that this cause be set for hearing tomorrow at 10 Oclock a.m.

No 469

Drouhe and Lea
Appellants
vs
Otto Brandes
Appellees

It is ordered that this cause be set for hearing tomorrow at 2 O'clock P.M.

No 470 J.A. McRae
Appellant
vs
Lockhart Bonnie
Appellee

It is ordered that this cause be set for hearing Wednesday at 10 O'clock a.m. July 10th 1895.

No 471 Rochester Ford
Appellant
vs
The Territory of Arizona
Appellee

On motion of Mr A.M. Franklin for appellant the Attorney General consenting It is ordered that this cause be and is hereby continued for the term.

No 472 United States of America
Appellant
vs
Phil Drachman etal
Appellees.

It is ordered that this cause be set for hearing tomorrow morning.

No 473 Annie Cadman administratrix etc
Plaintiff in Error
vs
The Old Dominion Copper Co.
Defendant in Error

It is ordered that Defendants in Error's Motion to Dismiss be submitted.

No 415 Gila County
appellant
vs
J.W. Thompson
appellee

On motion of Mr W.H. Barnes for appellee it is ordered that he be granted until tomorrow morning to file motion to dismiss the appeal herein

No 416 Gila County
Appellant
vs
J.W. Thompson
Appellee

On motion of Mr W.H. Barnes for appellee It is ordered that he be granted until tomorrow morning to file motion to dismiss the appeal herein

No 417 Nellie A. Sullivan and
Patrick Sullivan
Appellants.
vs
Wm Garland et al
Appellees

It is ordered that this cause be set for hearing tomorrow at 2 o'clock P.M.

No 418 Jesus Miranda et al
Appellants
vs
Chas Goldman et al
Appellees

It is ordered that appellees motions to strike out and dismiss be submitted.

No 479 Ferman Dalcido
appellant
vs
Chas. B. Gennuny
appellee

It is ordered that this cause be set for hearing Wednesday July 10th 1895.

No 480 L.F. Rigdon v L.P. Nash
Appellants
vs
J.J. Bottrell
Appellee

It is ordered that this cause be passed until tomorrow.

No 481 A.J. Chandler etal
Appellants
vs
Frank B. Austin etal
Appellees.

On motion of J.P. Pope for appellants
It is ordered that this cause be passed until tomorrow morning

No 482 J.P. McHasson ux a A.J. Chandler
Appellants
vs
T.A. Terrill
Appellee

On motion of Mr J.P. Pope for appellant.
Mr Mallon for appellee Consenting It is ordered that this cause be and is hereby continued for the term.

No 483 The Salt River Valley Gold Mining Co. et al
Appellants
vs
J.B. Norton et al
Appellees.

On motion of West Stilwell for appellees, Mr L.F. Ainsworth for appellants consenting it is ordered that appellees be granted until July 13th 1895 to file his brief herein and that this cause be submitted on briefs upon the filing of appellees brief.

No 484 The Sonoada del Oro Mines (Limited) et al
Appellants
vs
Frank Miltenberg
Appellee

On motion of Mr Wm. M. Fowell for appellee, it is ordered that appellee have until tomorrow to file motion to dismiss the appeal herein.

No 485. W.A. Harwood
Appellant
vs
A. Wentworth
Appellee

It is ordered that this cause be set for hearing Wednesday July 10th 1895.

No. 438

J. M. Evans.
Appellant
vs
J. W. Blankenship
Appellee

Mr W. M. Stilwell for appellant herein presented to the Court affidavits of G. W. Chapman and Malcolm McNair, as proof of value of the property in controversy herein, and moved the Court for allowance of appeal to the Supreme Court of the United States in this Cause and that a cost bond be fixed on said appeal. Whereupon the Court ordered that an appeal allowed in this Cause to the United States Supreme Court, and that the cost bond on said appeal be fixed at One thousand Dollars, and that appellant be granted thirty days from this date to perfect his appeal herein, and that appellee herein have thirty days from this date to file counter affidavits as to the proof of value of the property involved in this Cause.

On motion of Mr F. H. Schelmer, for appellee in the Case of J. M. Evans appellant vs J. W. Blankenship appellee It is ordered that Mr Pierce Evans, entered as additional Counsel in the said Case.

It is ordered that the Court stand adjourned until tomorrow at 10 O'clock A. M.

Chief Justice
Associate Justice
" "
" "

Supreme Court } July Term 1895
Territory of Arizona } Prescott, July 9th.

The Court opened at 10 Oclock A.M. this day.
Present.

His Honor A.C. Baker Chief Justice
" " O.S. Rouse Associate "
" " J.J. Hawkins " "
" " D. Berthume " "

J.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney
W.K. Meade U.S. Marshal
J.B. Dillon Crier
Robt Meador Bailiff
F. Munds "

The following Causes were taken up considered and disposed of as follows.

105 Jose Maria Portillon
appellant
vs
United States of America
Respondent.

The attorney for appellant not having yet arrived to be present in Court It is ordered that the hearing of this cause be reset for tomorrow morning.

No 108 Francisco Oscar Doran
appellant
vs
Territory of Arizona
Appellee

On motion of the attorney General It is ordered that appellant be granted 30 days to file brief and Respondent be granted 30 days thereafter to file brief herein, and upon the filing of such briefs the cause be submitted on said briefs.

July 9. 1895

No 468 The Atlantic and Pacific R.R. Co.
Plaintiff in Error
vs.
The Reliance Gold Co
Defendant in Error

This Cause having come on for hearing on this day was argued by Mr E.N. Oberry for Plaintiff in Error and J.F. Wilson for Defendant in Error and Ordered Submitted

No 513 Annie Gadman Administratrix etc.
Plaintiff in Error
vs
The Old Dominion Copper Co
Defendant in Error

On motion of Mr Jos. Campbell for Defendant in Error. It is ordered that this motion to dismiss the writ of Error filed herein be submitted.

No 484 Sonnada del Oro Mines etal
Appellants
vs
Frank Millenberg
Appellee

On motion of Mr Wm M. Fovell for appellee It is ordered that he have leave to withdraw one copy of the transcript on appeal on file in this Cause for the purpose of examining the same.

No 104 Ramon Escarosa
Appellant
vs
United States of America
Respondent

On motion of Mr Ellinwood U.S. Attorney It is Ordered that Respondents motion to affirm the Judgment of the Court herein be submitted.

July 9. 1895

No 489

The Republican Publishing Co.
appellant
vs
W. H. Gill
appelled

On motion of Mr Lott Barnes for appellant it is ordered that appellant herein have until tomorrow at 2 Oclock P.M. to file answer to Appellees motion to affirm. filed herein.

No 489

J. N. Rayner
appellant
vs
Peter Johnson
appelled

On motion of Jos. Campbell for appellee it is ordered that appellee have leave to file motion to affirm the judgment of the lower Court herein.

No 490

J. E. Peters & H. Gray and
J. K. Murphy
Appellants
vs
The Phoenix National Bank
Appellee

On motion of Mr F. H. Chalmer for appellee it is ordered that appellees motion to affirm the judgment of the lower Court herein, be submitted.

The Court stood at recess. until 2 Oclock this afternoon.

9 O'clock A.M. July 9 th 1895

The Court reconvened after recess.

Present His Honor the Chief Justice and all the Associate Justices and clerk.

The following Causes and matters were taken up and Considered and disposed of as follows.

10 490

J.E. Peters, Lt. St. Gray and J.K. Murphy
Appellants
Vs
The Phoenix National Bank
Appellee

The motion of appellee herein filed to affirm the judgment of the lower Court herein, having been heretofore submitted and the Court having taken the same under Consideration and having fully considered the same and being fully advised in the premises, It is ordered that said motion be and the same is hereby sustained and the judgment of the lower Court herein be and the same is hereby affirmed, and It is further ordered adjudged and decreed that the appellee herein the Phoenix National Bank do have of and recover from the appellants herein J.E. Peters, L. St. Gray and J.K. Murphy and W.J. Smith and Neri Osborn the sureties on the appeal bond herein, the sum of One thousand, one hundred eighty four and 32/100 Dollars, with interest thereon on the sum of One thousand Dollars, at the rate of one and one fourth per cent per month from the 5th day of December 1894 until paid and the sum of Twenty and 20/100 Dollars, appellees costs in the lower Court and the sum of fifteen Dollars its costs in this Court, and that appellee herein have execution therefor, together with all accruing costs herein,

July 9 1895

No 488

William Jackson
Appellant
vs
J.E. Walker Clerk Dist.
Court Maricopa County
Appellee

On motion of J.D. Campbell for appellee herein. It is ordered that appellee herein be granted leave to file motion to affirm, this day in this cause

No 491

Robert Bowen
appellant
vs
The Bank of British Columbia
Appellee

On motion of J.D. Campbell for appellee It is ordered that appellee herein be granted leave to file motion to affirm this day in this cause.

On motion of Mr D.M. Franklin It is order that Mr Fletcher M. Doan holding a license to practice from the District Court of Pinal County Arizona be admitted to practice in this Court upon his signing the roll of attorneys and taking usual oath required by law.

On motion of Mr F.G. Norris It is ordered that Mr Edgar F. Koehler holding a license to practice from the District Court of Maricopa County Arizona, be admitted to practice in this Court upon signing the roll of attorneys and taking the usual oath required by law.

July 9 1875

No 469

Prowse and Co.
Appellants
Vs
Doto Bro and Co
Appellees

Justice Bechume withdrew during the hearing of this Cause.

This Cause having Come on for hearing on this day. was orally urged by Mr W.H. Barnes for Appellants. attorney for Appellees not being present was Ordered Submitted on his brief.

No 477

Nellie A. Sullivan and
Patrick Sullivan
Appellants
Vs
Wm Garland et al
Appellees

Justice Rouse withdrew during the hearing of this Cause.

This Cause having Come on for hearing on this day. was argued orally by Mr John McGowan for Appellants and by Mr W.H. Barnes for Appellees. and Ordered Submitted.

In the matter of procuring Stationery for the use of the Court. during the present term the following order was made.
The Marshal is hereby directed to purchase necessary stationery for the use of the Court during the term.

No [illegible]

Philip Drachman, H. Goldberg
and John D. Dennis.
Appellees.
Vs
United States of America
Appellant

On motion of Mr W.H. Barnes for appellees. U.S. Attorney Consenting It is Ordered that this Cause be Submitted on the briefs now on file herein.

Qtem 3 [illegible]

It is ordered that the Court stand adjourned until tomorrow at 10 Oclock a.m. July 10th 1895

Chief Justice

J. Hawkins Justice

J. D. Bethune

Supreme Court
Equity Chambers

July 9th 1895

The Court opened at 10 Oclock a.m. this day.

Present

His Honor W. C. Bakewell Chief Justice
" C. J. Foran Justice
" J. Hawkins "
" J. D. Bethune "
" J. Ballentine "
" Westwood " W. A. Atkinson "
" W. H. Peake " W. H. Marshall "
" M. Pilcher " Clerk
" Robt. Wade " Bailiff
" F. Hunt " Bailiff

The following cause was taken, Evidence and depositions

No 319 In the matter of the Estate of John P. Walker deceased.

Applicant

to

A. J. Doran. Administrator

Appellee

Petition

This cause having been heretofore argued by Hon. Fitch and Jno. Campbell Counsel for Eleanor Walker appellant herein and by Delin M. Franklin and Wm. H. Barnes for appellee herein. Submitted,

July 10 1895

and by the Court taken under Consideration and the Court having duly considered the same and being fully advised in the premises, it is ordered that the Judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered, adjudged and decreed that the appellee herein do have and recover of and from the appellant herein Eleanor Walker the Sum of Nineteen Hundred and Seven ($1907.00) Dollars appellees costs and expenses incurred in the lower Court in this cause and his costs in this Court taxed at Seventeen Dollars

No 436 The Consolidate Canal Co. Appellant vs C. G. Peters Appellee — Reversed. Opinion by Hawkins a.J.

This Cause having heretofore been argued by respective Counsel, Submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby reversed and the lower Court is hereby directed to sustain Defendants demurrer to Plaintiffs Complaint filed in said Cause and it is further ordered, adjudged and decreed that the appellant herein do have and recover of and from the appellee herein its Costs and disbursements incurred in the lower Court in this Cause and the Sum of Three Hundred and thirty five and 90/100 Dollars its Costs in this Court.

No 441 Edward H. Cook, Chas E. Taylor R. B. Webb and J. W. Boardman Appellants vs Yolo County Appellee — Affirmed. Opinion by Hawkins a.J.

This Cause having heretofore been submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises it is ordered the Judgment of the lower Court herein be and the same is

July 10 1915

many affirmed and it is hereby ordered adjudged and decreed that the appellee herein Bima County do have and recover of and from the appellants herein and J. Julius and W. Bell sureties on the appeal bond herein the sum of Three Hundred and Seventy eight ($378.00) Dollars with interest thereon at the rate of 220 per cent per annum from May 29th 1914 until paid with the further sum of Twenty per cent ($155.40) additional thereon and appellee costs in the Court below. in the sum of Thirty six and 95/100 Dollars. and its costs in this Court taxed at Four Dollars.

No 466 Joseph E. Scott
Appellant
vs
Bima County
Appellee

Affirmed
Opinion by Hawkins J.
Rehearing denied

This Cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee Bima County do have and recover of and from the appellant herein and Julius Goldbaum and Frank Allison the sureties on the appeal bond herein the sum of Fifteen Dollars appellee costs in this Court.

No 467 H.W. Ryder
Appellant
vs
Henry Orison
Appellee

Affirmed
Opinion by Hawkins J.

This cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and both

of Twenty nine Dollars appellees costs in this Court, and appellee have execution therefor, against said appellant and said sureties on said appeal bond herein.

No 116

M.A. Suggs and C.B. Suggs.
Defendants and The Northern National Bank and R.A. Abrams Assignee of the Bank of Semper
Intervenors and Appellants,
vs
Hugh McGrann
Appellee

Affirmed
Opinion by Baker J.

This Cause having heretofore been argued by respective Counsel, Submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and J.H. Hopkins Jr and John Clark the sureties on the appeal bonds herein the sum of Twenty three Dollars his costs in this Court

No 161

Jake Marks
Appellant
vs
Martin Maier Defendant and The San Francisco Breweries Co. Limited Intervenor and Appellee

Affirmed
Opinion by Baker J.
Rouse J. Dissents

This Cause having heretofore been argued by Mr H.H. Norris Counsel for appellant and H.W. Johnson Counsel for appellee Submitted and by the Court taken under consideration and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and William C. Bathford and Robert H. Burminster the Sureties on the appeal bond herein the sum of Eighty six and 50/100 Dollars appellees costs in the lower Court and the sum of Thirty Dollars appellees costs in this Court.

270

Jan 10 1895

No 467

Fred G. Brecht

Appellant

vs

Martin Maier Defendant and
San Francisco Breweries Ltd Limited.

Intervenor and Appellee

Appeal from

Affirmed

Opinion by Baker C.J.

Dissent J. Rose

This Cause having heretofore been argued, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises, it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein do have and recover of and from the appellant herein and W. G. Barkford and R. B. Bennister the sureties on the appeal bond herein the sum of Eighty four and 45/100 Dollars appellee costs in the Court below and the sum of Thirty one Dollars appellee costs in this Court.

No 473

Annie Badman administratrix
of the Estate of John Badman deceased
Plaintiff in Error

vs.

The Ola Pominion Copper Co.
Defendant in Error

Motion to dismiss writ of Error sustained.

Opinion by Baker C.J.

Defendants in Error Motion to dismiss the writ of Error filed herein having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that said Motion to dismiss the writ of Error in this Cause be and the same is hereby sustained and the said Writ of Error be and the same is hereby dismissed and that the judgment rendered by the lower Court herein be and the same is hereby affirmed with costs, and it is further ordered and adjudged that Defendant in Error herein do have and recover of and from the Plaintiff in Error herein its costs in this Court to wit Nineteen Dollars.

July 10 1895

No 390

Adolph Kohon
Appellant
Vs
A. J. Mehan, Dewitt C. Turner, Bell H. Lohmaier, H. C. Fisher and Angelo Dias de Daley
Appellees.

Affirmed
Opinion by Baker C.J.

This cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court rendered herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that appellee Angelo Dias herein do have and recover of and from the appellant herein, and S. Imbolet and Emil Sydow the sureties on the appeal bond herein- the sum of Ninety one and 55/100 Dollars her costs in the lower Court and her costs in this Court in this cause taxed at Sixteen Dollars.

Accounts $53.10.

No 131

In the matter of the Guardianship of the Person and Estate of Hugo and Hilonita Feckendorf formerly minors
appellees.
Vs.
Louis Feckendorf
appellant

Received
Opinion by (Porter J.)
Baker C.J. expressed no opinion

This cause having been heretofore Argued by Mr Selim M. Franklin Counsel for Louis Feckendorf Guardian and by Mr Francis J. Heney Counsel for Baron Hugo Feckendorf and Hedonita Feckendorf appellees, submitted and by the Court taken under Consideration and the Court having fully considered the same and being fully advised in the premises, it is ordered adjudged and decreed that the judgment and decree of the lower Court in this cause. be and the same is hereby reversed and this cause is remanded. and Court below is hereby directed to enter judgment in this Cause in accordance with the judgment of the Probate Court of Pima County made and entered in this Cause and being that certain judgment and order made by said Probate Court on July 2nd 1892 in this

July 10 1895

cause allowing and settling the final account of said Louis Zeckendorf Guardian of the Persons and Estate of Aaron Hugo Zeckendorf and Delenita Zeckendorf (formerly minors) from which said judgment and order appeal was taken from said Probate Court to the District Court of the First Judicial District of the Territory of Arizona in and for Pima County and from the judgment and decree in said cause in said District Court this appeal is taken, except as to the item of Five hundred and four Dollars ($504.00) for board of Aaron Hugo Zeckendorf evidenced by Voucher Leg. 1x of date December 21st 1883. Allowed by said Probate Court is hereby disallowed and such disallowance shall be entered in the judgment and decree of said lower Court, It is further ordered that appellant herein recover from the appellees herein his costs herein in the lower Court incurred in the Sum of Twenty five and 55/100 Dollars. and his costs in this Court. Taxed Two Hundred and forty six 80/100 Dollars.

July 10, 1895

No 478 J. A. McRae
Plaintiff in Error
vs
Cochise County
Defendant in Error

On motion of Mr W. H. Barnes for Plaintiff in Error it is ordered that the consideration of this Cause be passed until this afternoon.

No 390 Adolph Cohen
Appellant
vs
A. J. Mehan et al
appellees

Mr W. H. Barnes for appellant herein moved the Court to make and file findings in this Cause. whereupon the Court ordered that said motion be denied.

No 484 Bonuda del Oro Mines Limited et al
Appellants
vs
Frank Mildenberg
Appellee

On motion of Mr Wm. M. Fovell for appellee it is ordered that leave be granted him to add to his motion to dismiss filed herein the words "and other Corporation" and that said motion as amended be submitted, and that appellant herein have until tomorrow morning to answer said motion.

No 479 Fermin Salcido
Appellant
vs
Chas B. Benning
Appellee

On motion of appellants attorney the consideration of this case is ordered passed until tomorrow.

Subject to 1895

No 186 N.A. Harwood
Appellant
vs
A. Wentworth
Appellee

On motion of Attorney for appellant herein the consideration of this cause is ordered passed until the afternoon session of the Court.

No 187 The Republican Publishing Co
Appellant
vs
Wm. H. Gill
Appellee

On motion of W.H. Barnes for appellant the consideration of this cause is ordered passed until the afternoon session of the Court.

No 189 J.P. Reymert Appellant
vs
Peter Johnson Appellee

The motion of appellee filed herein to dismiss is ordered granted.

No 191 Robert Bowan
Appellant
vs
Bank of British Columbia
Appellee

On motion of appellants attorney the consideration of this cause is ordered passed until the afternoon session of the Court

July 10 1895.

No 481

A. J. Chandler et al
Appellants
vs
Frank B. Austin et al
Appellees

On motion of Mr J.P. Pope for appellants it is ordered that the consideration of this cause be fixed until the afternoon Session of the Court.

The Court stood at recess until 2 Oclock P.M.

2 Oclock P.M.

The Court reconvened after recess.

Present. His Honor. the Chief Justice, all the Associate Justices and Clerk.

No 470

J.A. McRae
Plaintiff in Error
vs
Gadsden County
Defendant in Error

Submitted on Briefs.

It is ordered that this Cause be and is hereby

No 489

J.P. Reynert.
Appellant
vs
Peter Johnson
Appellee

motion to dismiss dismissed

In this Cause the motion of appellee herein to dismiss the appeal herein having heretofore been submitted, and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that said motion to dismiss the appeal herein because the amount in controversy herein is less than two hundred Dollars. (the judgment of the lower Court in this Cause being but twenty five dollars) be and the same is hereby sustained and the appeal herein dismissed and it is further ordered

July 10, 1895

Adjudged and decreed That the appellee Herein do have and recover fund from the appellant and B.N. Gonzales and D. L. Palmer the sureties on the appeal bond herein, Herein, the sum of Sixty and not 65/100 Dollars this costs in the lower Court in this cause and his costs in this Court taxed at $16.50

No 181 A.J. Chancler et al
Appellants
Vs
Frank B Austin et al
Appellees

On motion of J.D. Pope for appellants herein J.D. St. Kibbey for appellees consenting It is ordered that this cause be set for hearing tomorrow at 10 a.m. and that appellees herein have 10 days thereafter to file Brief herein and that appellants have two days after the appellees Brief comes in to file reply brief herein.

No 180. L.F. Rigdon ma- L.P. Nash
Appellants
Vs
J.J. Bottrell
Appellee

Mr Pierce Evans for appellants moved the Court for permission to file the Transcript on appeal in this case at this time. Whereupon it was ordered that the motion be granted and that the motion of appellee to affirm for failure of appellants to file paid Transcript on or before the first day of this term of the Court be overruled, and denied.

No 105 Da Maria Dortillon
Appellant
Vs
United States of America
Appellee

On motion of J.H. Kibbey attorney for appellee herein. It is ordered that the hearing of this case be reset for tomorrow

No 485 W. A. Harwood
appellant
vs
A. Wentworth
appellee

This cause came on regularly for hearing, Mr W. H. Barnes. argued for the appellant herein. and Mr. Wiley E. Jones District Attorney of Graham Co. as a friend of the Court. for the appellee herein. Whereupon the cause was submitted and ordered that appellee herein be granted 15 days from this date to file his brief herein, and on motions of Mr Jones and Mr Jo. K. Kibbey it was ordered that they be granted 15 days. respectively to file briefs in this cause in behalf of appellee herein as friends of the Court.

No 491 Robert Bowen
appellant
vs
Bank of British Columbia
appellee

Mr J B. Woodward Counsel for appellant herein. moved the Court for permission to file the Transcript on appeal herein at this date. Whereupon it was ordered that the motion be granted. and that the motion of appellee to affirm for failure of appellant to file said Transcript on or before the first day of the term of this Court be denied. and that the hearing of this cause be set for tomorrow at 7 Oclock P.M.

No 488 William Jackson
appellant
vs
J. E. Walker Clerk etc
appellee

On motion of Jo. Campbell for appellee the motion of appellee to dismiss filed herein was ordered submitted.

July 10. 1895

It is ordered that the Court stand adjourned until tomorrow Thursday at 10 o'clock a.m. July 11th 1895.

Chief Justice
Associate "
" "
" "

Supreme Court
Territory of Arizona } July Term 1895
Prescott July 11th " 1895

The Court opened at 10 o'clock a.m. on this day.
Present.

His Honor A. C. Baker Chief Justice
" " O.S. Rouse Associate "
" " D.D. Hawkins " "
" " J.D. Bethune " "
J.F.B. Alexander Clerk
C.C. Ellinwood U.S. attorney
W.K. Meade U.S. Marshal
J.P. Dillon Court
Robt. Meador Bailiff
J.F. Muna Bailiff

The following Causes and Matters were Taken up Considered and disposed of as follows.

No. 465 Gila Bend Irrigation & Res. Co. et al
Appellants
vs
W.H. Finn et al
Appellees

On motion of Mr Walter Bennett for Appellees. Mr Wm. H. Barnes for appellants consenting. It is ordered that this cause

July 11. 1895

No 109 Jesus Fares
Appellant
vs
The Territory of Arizona
Respondent

Dismissed

Justice Rowe did not take part in the consideration of this cause.

Be it remembered that on this 11th day of July 1895. On motion of Mr Fletch M. Doan for respondent herein to dismiss the appeal in this cause it appearing to this Court that there is not sufficient matter or substance in the record to enable this Court to decide upon the law or the merits of the cause, this Court does therefore order and decree that the said appeal be and the same is hereby dismissed

No 180 L.F. Rigden and F.P. Nash
Appellants
vs
J.J. Bottrell
Appellee

Affirmed
Chief Justice Baker did not take part in the consideration of this cause.

This cause having come on regularly to be heard on this day, the Court having taken the case under consideration and having duly considered the same and being fully advised in the premises, it is ordered that the judgment of the lower court in this cause be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein, J.J. Bottrell recover of and from the appellants herein L.F. Rigden and F.P. Nash and W.W. Houston and J.P. Marlar the sureties on the appeal bond herein, the sum of Three hundred and thirty nine Dollars. [$339.00] with interest thereon at the rate of Seven per cent per annum from May 2nd 1894. together with the sum of Twenty eight and 40/100 Dollars. appellees. Costs in the lower Court incurred in this cause. and the costs of appellee in this Court taxed at. Twenty one 50/100 Dollars

280

July 11. 1895

No. 1491

D: Tooker
Appellant
vs
Virginia Milling and Mining Co.
Appellee.

affirmed
Justice Rouse did not take part in the consideration of this cause.

The motion of appellee herein to affirm the Judgment of the lower Court in this cause, because no transcript on appeal has been filed by appellant herein in this Court as required by law, having heretofore been submitted and by the Court Taken under consideration and the Court having duly considered the same and being fully advised in the premises it is ordered that the said motion be and the same is hereby sustained, and the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein recover of and from the appellant herein and H.N. Palmer, J.L. Bowe, P.F. Gastner and W.W. Nonderviet the sureties on the appeal bond herein the sum of Forty five and 90/100 Dollars appellees costs in the Court below and his costs in this Court. taxed at thirteen and 50/100 Dollars.

No. 488

William Jackson
Appellant
vs
J.E. Walker Clerk of the District Court of Maricopa County.
Appellee

Dismissed
C.J. Baker did not take any part in the consideration of this cause.

This cause having come on regularly to be heard and the Court having taken the same under consideration and having duly considered the same and being fully advised in the premises it is ordered that the appeal herein be and the same is hereby dismissed and that the Judgment of the lower Court herein be and the same is hereby affirmed. and it is further ordered and adjudged that the appellee herein recover of and from the appellant herein and A.J. Paggs and R.E. Paggs. the sureties on the appeal bond herein his costs in the Court below and also his costs in this Court taxed at Five and 50/100 Dollars.

July 11. 1895

No 105 Jose Maria Dorrillon
appellant
vs
United States of America
Respondent

} b.g. Baker withdrew during the hearing of this Cause

This Cause having come on regularly for hearing was orally argued by Mr Jos. H. Kibbey for appellant and by E.E. Ellinwood U.S. attorney for Respondent herein. Whereupon the Cause was ordered Submitted.

No 484 Canada del Oro Mines etal
appellants
vs
Frank Miltenberg
appellee

} b.g. Baker resumed his seat on the Bench. and Justice Bectum withdrew during the hearing of this Cause.

On motion of Frank Letterekord for appellants it is ordered that the hearing of this Cause be set for this afternoon at 2 Oclock

No 481 A. J. Chandler etal appellants
vs
Frank R. Austin etal
Appellees

} b.g. Baker withdrew and Justice Bectum resumed his seat on the Bench during the hearing of this Cause

This cause having come on regularly for hearing was argued by Mr J.P. Pope orally for the appellants. and further argument thereon was ordered continued until the afternoon session of the Court.

The Court stood at recess until 2 Oclock this afternoon

July 11 - 1895

2 Oclock P. M. July 11 - 1895

The Court reconvened after Recess.

Present.

Their Honors. the Chief Justice all the associate Justice and Clerk.

No 484 Canada del Oro Mines etal
appellants
vs
Frank Mittenberg
appellee

Justice Bethune withdrew during the hearing of this cause

This Cause having come on regularly for hearing was orally argued by Mr Frank St. Hereford for appellants and by Mr Wm M. Lovell for appellee and Ordered submitted on the motion of appellee to dismiss filed herein and also upon its merits. and it is further ordered that appellee have 15 days from this date to file his brief herein and that appellants have 15 days thereafter to file reply briefs herein.

No 485 W. A. Harwood
appellant
vs
A. Wentworth
appellee

On this Cause. it is stipulated in open Court. on this day. between Mr Wm H. Barnes. Counsel for the appellant herein. and Mr Wiley E. Jones and Mr Joseph H. Kibbey appearing for the appellee hereinas as friends of the Court. by permission of the Court. That the Judgment of the Court in this Cause be rendered in vacation and entered as of the present term of the Court.

July 11. 1896

No 479 On motion of Mr J.B. Early. It is ordered that he be granted permission to file at this date the Transcript on appeal in the Case of The Medical Life Insurance Company of New York appellant. vs. Edward Archer, administrator of the Estate of Charles Graydon deceased, appellee appealed from the District Court of Yalobusha County and said Cause be entered on the Calendar. and Cause continued for the term. and that appellant be granted sixty days from this date to file brief in said Cause.

No 481 A.J. Chandler et al
appellants
vs
Frank B. Austin et al
appellees

Mr. J. Baker withdrew during the hearing of this Cause and Justice Beckham resumed his seat on the Bench.

The oral argument in this Cause was resumed by Mr Jos. H. Kirby for appellees. upon Conclusion of the argument herein. it was ordered in accordance with the stipulation made in open Court by Mr J.P. Pope for appellants herein and Jos. H. Kirby for appellees herein. stipulating "that appellees herein shall have 20 days from this day to file their brief herein. "and appellants two days thereafter to file their reply brief herein and that "upon such briefs being filed this Cause be submitted. and that the judgment "of the Court be rendered and entered in this Cause in vacation as of the present "term". that this be submitted.

No 479 Jerman Daleido
appellant
vs
Chas. E. Gormley
appellee

It is ordered that the hearing of this Cause be reset for tomorrow morning at 10 Oclock.

July 11. 1895

No 491

Robert Bowen
appellant
No
Bank of British Columbia
appellee

On this cause it is ordered that the hearing thereof be reset for tomorrow morning at 10 O'clock.

It is ordered that the Court stand adjourned until tomorrow Friday July 12. 1895 at 10 O'clock a.m.

Chief Justice
J. Hawkins Associate "
J. S. Bethune " "
" "

Supreme Court
Territory of Arizona } July Term 1895
Prescott July 12th.

The Court opened at 10 o'clock A.M.
Present.

His Honor	Wm D. Rouse	Associate Justice
" "	D.D. Hawkins	" "
" "	J.J. Bethune	" "
J.F. Alexander	Clerk	
E.E. Ellinwood	U.S. Attorney	
W.K. Meade	U.S. Marshal	
J.P. Dillon	Crier	
Robt. Meador	Bailiff	
J.F. Muma	Bailiff	

The following Causes and Matters were Considered and acted on as follows.

No 11 California Bridge Company
Plaintiff in Error
vs
George Busch et al
Defendants in Error } Motion to dismiss sustained

On this cause the motion of Defendant in Error to dismiss the appeal herein and affirm the Judgment of the lower Court herein for the reason that no Bill of exception and no statement of facts was ever signed, settled, allowed or filed in this cause, having heretofore been submitted, and by the Court taken under consideration and the Court having duly considered the same and being fully advised in the premises it is ordered that the writ of Error herein be and the same is hereby dismissed and the judgment of the lower Court herein be and the same is hereby affirmed and Defendant in Error herein do have and recover of and from the Plaintiff in Error herein, and Geo. A. Brown, Wm E. Smith, P.J. Cole and Olmsted & Fleming the Sureties on the appeal bond herein their Costs incurred in the Court below in this cause and the sum of Thirty Seven 50/100 Dollars, their Costs in this Court.

July 12. 1895

No. 491.

Robert Bowen
appellant
vs
Bank of British Columbia
appellee

This Cause was argued orally by D.B. Woodward for appellant and by Jos. Campbell for appellee and Submitted and it is ordered that appellee herein have 10 days from this date to file brief herein and that judgment in this Cause be rendered in Vacation and entered as of the present term upon the stipulation made in open Court on this day between D.B. Woodward Counsel for appellant herein and Jos. Campbell Counsel for appellee herein.

No 419

Herman Dalcido
appellant
vs
Chas. B. Gemmig
appellee

This Cause was argued orally by Walter Bennett for appellant and by Jos. Campbell for appellee and ordered Submitted.

The Court took a recess until 2 O'clock this afternoon

2 O'clock - P.M.

The Court reconvened after recess.

Present,

Their Honors. Justices Ross, Hawkins, McBride and the Clerk

No. 491

Robert Bowen
appellant
vs
Bank of British Columbia
appellee

Unanimous by Justice Ross
Affirmed

This Cause coming on regularly for hearing this day Jos. Campbell appearing for appellee and D.B. Woodward for appellant. the Cause was argued by respective Counsel submitted and by the Court taken under consideration and

July 17 1895

the Court having fully considered the same and being fully advised in the premises - it is ordered that the judgment rendered by the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and A.J. Poggo and R.E. Poggo. the sureties on the appeal bond herein the sum of nineteen hundred and thirteen and 01/100 Dollars. with interest thereon at the rate of seven per cent per annum from November 23rd 1894 until paid. and the sum of one hundred and ninety Dollars ($190.) attorneys fees. and the sum of thirty eight and 70/100 Dollars. appellees costs in the lower court and appellees costs in this Court. Total of Nineteen and fifty one hundredths Dollars -

No 1149

Ferman Dalcido
Appellant
vs
Chas B. Fenning
Appellee

Announced by Justice Bethune
(Reversed)

This Cause having been orally argued by Mr Walter Bennett for appellant and by Jos. Campbell for appellee submitted and by the Court taken under Consideration and the Court having duly considered the same and being fully advised in the Premises, It is ordered that the judgment of the lower Court herein be and the same is hereby reversed and Court below is hereby directed to enter judgment for the appellant herein. and it is further ordered and adjudged that the appellant do have and recover of and from the appellee herein the costs incurred in the lower Court in this Cause. and also the costs in this Court taxed at Sixty four and [illegible] hundredths.

July 17. 1895

No 486 L. C. Crowley
Plaintiff
vs
The District Court of Maricopa County and the Honorable C. C. Baker the Judge of said Court
Defendants

On motion of Ls. Ainsworth for plaintiff herein the hearing of this cause is continued till tomorrow morning.

No 488 The Salt River Valley Gold Mining Company et al
appellants
vs
J. B. Norton et al
appellees

On this cause it is stipulated by Ls. Ainsworth Counsel for appellants herein and by Lott Stilwell Counsel for appellees herein in open Court. That appellants shall have 15 days from this day to file and serve brief in opposition to appellees motion to dismiss appeal herein, and that appellees shall have 20 days to file and serve their brief on the merits, and that on the filing of said brief of appellees this cause shall be submitted on the said motion and merits. and that the judgment of the Court may be rendered by the Court in vacation and entered as of the present term.

In the matter of providing for the filing of motions for rehearing in causes wherein judgments may be entered in vacation as of the present term of the Court. It is hereby ordered that the respective parties in all causes submitted at this term of the Court on stipulations that the judgment of the Court may be rendered and entered as of the present term of the Court shall have 15 days after the rendition and entry of said judgments within which to file their respective motions for rehearing therein.

July 13 1895

... It is Ordered that the Court Stand adjourned until tomorrow Saturday at 10 Oclock a.m. July 13th 1895

Chief Justice

Jno J Hawkins Associate "

J S Bethune " "

" "

Supreme Court
Territory of Arizona

July Term 1895
Prescott Saturday July 13th.

The Court opened at 10 Oclock a.m. on this day.

Present

His Honor Owen T. Rose Associate Justice

" " J.J. Hawkins " "

" " J.S. Bethune " "

J.V. Alexander Clerk

E.E. Ellinwood U.S. Attorney

M.K. Meade U.S. Marshal

J.L. Dillon Crier

J.F. Mund Bailiff

Robt. Meador Bailiff

The following Cases were taken upon and considered and acted upon as follows.

No. 493 Neri Osborne
Appellant
vs
Central Avenue Driving Association
Appellee

Dismissed & affirmed

July 13 1895

herein to affirm the judgment of the lower court herein for the reason that appellant has failed to file the transcript on appeal in this court. as required by law. having been taken under consideration by the court and the court having duly considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court in this cause be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein do have of and from the appellant herein and F. F. Warner and Frank Fuke the Sureties on the appeal bond herein the sum of Fifty Dollars - with interest thereon at the rate of seven per cent per annum from the 27 day of December 1894 until paid and the sum of Twenty one and 15/100 Dollars appellees costs in the lower Court and the further sum of Twelve and 50/100 Dollars appellees costs in this Court. in this cause.

No 104 Ramon Escarosa
appellant
vs
United States of America
Respondent
} affirmed

In this cause Respondents motion to affirm the judgment of the lower Court herein having heretofore been submitted & taken under consideration by the Court. and the Court having fully considered the same. and being fully advised in the premises It is ordered that the said motion to affirm be sustained and that the judgment of lower Court herein be and the same is hereby affirmed

No. 187 The Republican Publishing Co
Appellant
vs
William H. Gill
Appellee
} affirmed

In this cause the motion of appellee

July 13 1895

cript on appeal in this Court in this cause. having been heretofore submitted and by the Court taken under consideration and the Court having duly considered the same and being fully advised in the premises, it is ordered that said Motion be and the same is hereby sustained and that the Judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein recover of and from the appellant herein and John A. Black and Blank Churchill the Sureties on the appeal bond herein the sum of Four Hundred and thirty two 95/100 Dollars with interest thereon at the rate of 7% per annum from May 6th 1895. and the sum of $70.30 appellee costs in the Court below and his costs in this Court Taxed at $

No 134

So the Weinman
Appellant
vs
Daniel Murphy and
Martha Murphy
Appellees.

} Reversed

This cause having heretofore been submitted and by the Court Taken under consideration and the Court having duly considered the same and being fully advised in the premises it is ordered and adjudged that the Judgment of the lower Court herein be and the same is hereby reversed and cause remanded for new trial in the lower Court. and it is further ordered and adjudged that the appellant herein do have and recover of and from the appellees herein her costs in the Court below and also her costs in this Court taxed at Nineteen and 50/100 Dollars. and it being suggested to the Court that after the appeal herein was perfected Daniel Murphy one of the appellees herein had died, On motion of L.S. Ainsworth attorney for appellant herein and W.H. Barnes attorney for appellees herein in open Court Consenting thereto, It is ~~ordered~~ by the Court ordered that Henry Murphy the administrator of the Estate of Said Daniel Murphy be and he is hereby substituted as Defendant in said action in place of Daniel Murphy deceased

July 3 1895

No. 1178

Jesus Miranda administrator and Jacinta Bordova administratrix of the Estate of Guadalupe Bordova Miranda deceased et al:

Appellants

vs

Lehab, Goldman and Leo. Goldman

Appellees

} affirmed

This cause having come on regularly to be heard and having been taken under consideration by the Court and the Court having duly considered the same and being fully advised in the premises, it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered, adjudged and decreed that the Appellees herein do have and recover of and from the appellants herein their costs in this cause in the lower Court and the sum of Eight 50/100 Dollars their Costs in this Court.

No. 1186

L. E. Crowley

Plaintiff

vs

The District Court of Maricopa County and the Honorable A.C. Baker the Judge of said Court

Defendant

} +

This cause having come on regularly for hearing was orally argued by Mr L.C. Ainsworth for plaintiff herein and by Mr Armstrong Jr for Defendant herein.

The Court took a recess until 2 oclock this afternoon

2 oclock P.M.

The Court reconvened after recess.

Present

Their Honors. Associate Justices Rorsel, Hawkins and Berthune and the Clerk

July 13 1895

No 486

L. E. Crowley

Plaintiff

vs

The District Court of Maricopa County and the Honorable Geo. Baker the Judge of said Court

Defendant

By permission of the Court Mr W.H. Barnes Attorney for the Salt River Reservoir and Irrigation Co et al. addressed the Court in this Cause in favor of the issuing of the writ of Mandamus applied for herein whereupon it was ordered that the Cause be Submitted.

No 419

Jerman Salcido

appellant

vs

Chas B. Benning

appellee

Modification of Judgment.

On motion of Mr Jos. Campbell Counsel for appellee herein It is Ordered that the Judgment heretofore rendered on July 13. 1895 in this Cause be and the same is hereby modified so that the same shall read as follows: "It is hereby ordered that the Judgment of the lower Court herein be and the same is hereby reversed and Cause is remanded for new trial. and it is further ordered and adjudged that the appellant herein do have and recover of and from the appellee herein this costs in the Court below and also his Costs incurred in this Court in this Cause taxed at Sixty four and 50/100 Dollars.

It is Ordered that the Court stand adjourned until Monday at 2 Oclock P.m. July 15th 1895.

Chief Justice

Associate "

Associate "

Associate "

Supreme Court } July Term 1895.
Territory of Arizona } Prescott Monday July 15th 1895.

The Court opened at 2 Oclock P.M. this day.

Present.

His Honor	Owen T. Rouse	Associate Justice
" "	Jno. J. Hawkins	" "
" "	Jos. D. Bethune	" "
J.P.B. Alexander		Clerk
W.K. Meade		U.S. Marshal
J.P. Dillon		Crier
J.P. Muma		Bailiff
Robt. Meador		Bailiff

The following matters and causes were considered and acted on.

The Florence Canal Co.
Appellant
vs
Thomas Davis
Appellee

On motion of Mr R.E. Sloan Counsel for appellee herein Mr W.H. Barnes Counsel for appellant herein being present and consenting thereto, it is ordered that the judgment heretofore entered in this Cause against the above named appellant and E. Stanley and W.B. Reid Sureties on the appeal bond in this Cause be and the same is hereby amended so as to conform to the judgment of the Court below and for which said appeal bond was given, by making the amount of said judgment against said appellant and said sureties in the sum of One hundred and eighty seven Dollars for appellee's costs in the Court below, instead of Seventy four 40/100 Dollars as erroneously entered, and that a new remittitur issue in accordance with the amendment hereby made.

July 15. 1895

No 390

Adolph Cohen
Appellant
vs
A. J. Mehan et al
Appellees

And now on this 15th day of July A.D. 1895 this day being one of the days of the July adjourned term of said Court, and it appearing to the Court that the amount in controversy is exclusive of Costs over $5000- viz $20,000- It is held in open Court and ordered that the appeal be allowed as prayed for upon appellant Adolph Cohen giving bond on appeal according to law in the penal sum of $1000- Sureties to be approved by the clerk of this Court.

No 109.

Jesus Fares
appellant,
vs
The Territory of Arizona
Respondent

And now on this day upon motion of the appellant herein by J. L. Herndon Esq. made in open Court. praying that the Order of this Court heretofore made Towit: on July 11th 1895 dismissing the appeal herein, be set aside, and that the remittitur thereon issued be recalled. it appearing to the Court from the affidavit of said Jno. Herndon in support of said motion filed herein that good cause is shown for granting said motion as prayed for. Therefore it is ordered that the Order of this Court made and entered on the 11th day of July 1895. dismissing the appeal in this cause, be and the same is hereby set aside and the remittitur issued by the Clerk of this Court thereon is hereby recalled and it is further ordered that the execution of the judgment of the lower Court in this cause, be and the same is hereby stayed pending the determination by this Court of the appeal taken in this cause and the Clerk of the lower Court is hereby directed to serve a copy of this order

June 15 1895

No 491

Mary J. Smith
Appellant
vs
J.K. Brown
Appellee

Reversed

This Cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment rendered in this Cause by the lower Court be and the same is hereby reversed and Cause remanded for new trial in the Court below. and it is further ordered adjudged and decreed that the appellant herein do have and recover of and from the appellee herein her costs incurred in the lower Court in this Cause and her costs in this Court. Taxed at twenty seven and 40/100 Dollars. and that she have execution therefor.

No 467

Fred. D. Hughes
Appellant
vs
A. Fazzard
Appellee

Affirmed

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment rendered by the lower Court in this Cause be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and James Finley and Mrs. Dominigo the sureties on the appeal bond herein the sum of Fifty Dollars damages, the rental value of the premises herein involved up to June 4th 1894, and his costs in the lower Court. in the sum of Sixteen and 70/100 Dollars. and his costs in this Court Taxed at Seventeen and 30/100 Dollars

July 15. 1895

No 468

The Atlantic and Pacific Railroad Co.
Plaintiff in Error.
vs
The Defiance Cattle Co.
Defendant in Error.

} Affirmed

This cause having heretofore been orally argued by L.N. Sterry Esq for Plaintiff in Error and J.S. Wilson Esq for Defendant in Error, submitted and by the Court Taken under Consideration and the Court having duly considered the same and being fully advised in the premises it is Ordered that the Judgment of the lower Court be and the same is hereby affirmed and it is further ordered and adjudged that the Defendant in Error herein the Defiance Cattle Co. do have and recover of and from the Plaintiff in Error herein The Atlantic and Pacific Railroad Co. and L.H. Schultz and J.W. Francis the Sureties on the appeal bond herein the Sum of Five hundred and eleven and 80/100 Dollars. Defendants in Error costs in the Court below and the further sum of thirty seven Dollars defendants in Error costs in this Court. and that Defendant in Error herein have execution for said costs

No. 486

E. E. Crowley
Plaintiff
vs
The District Court of
Maricopa County and
the Honorable W. Baker
Judge of the said Court
Defendants.

} Writ denied

This cause having come on regularly for hearing was argued by Mr E.S. Ainsworth for plaintiff, by Mr J.R.P. Armstrong Jr for Defendant and by Mr W.H. Barnes Counsel for the Gila Bend Reservoir and Irrigation Co. in favor of the issuance of the writ, Submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the writ of mandamus herein prayed for be and the same is hereby denied.

July 15 1895.

It is ordered that this Court stand at recess until Wednesday at 10 o'clock A.M. July 31st 1895 at Prescott, Arizona.

Chief Justice

Associate "

" "

" "

Supreme Court | July Term 1895
Territory of Arizona | Prescott, Wednesday. July 31st 1895.

The Court opened at 10 O'clock A.M. on this day.

Present.

His. Honor Owen T. Rouse
" " Jno. J. Hawkins
" " Jos. D. Berthume.

J.F. Alexander Clerk
Wm H. Meade U.S. Marshal.
E.E. Ellinwood U.S. Attorney.
J.P. Dillon Crier.

The following Causes were taken considered and disposed of as follows.

No. 481. A.J. Chandler etal
Appellants
vs
Frank B. Austin etal
Appellees

In this the motion of appellees suggesting diminution of record herein was granted and ordered that appellees herein have leave to file their supplement Transcript herein.

No. 390 Adolph Cohen
Appellant
vs
A.J. Mahan etal
Appellees

Reversed.

In this Cause the motion of appellant herein for rehearing filed herein having been fully considered by the Court and the Court being fully advised in the premises. it is ordered that said Motion be and the same is hereby granted and that the judgment of the Lower Court in this Cause be and the same is hereby reversed and Cause remanded for new trial in the Court below. and it is

July 31 1895

further ordered adjudged and decreed that the appellant herein do have and recover of and from the appellees herein. his costs incurred in this Cause in the lower court and the sum of Forty eight and 50/100 Dollars his costs in this Court.

No 1345

Lottie Wienman
appellant
vs
Daniel Murphy et al
appellees

In this Cause the motion for rehearing filed by appellees herein having been fully considered by the Court and the Court being fully advised in the premises it is ordered that said Motion be and the same is hereby denied.

No 1416

W. A. Yaggy vs W. P. Yaggy.
Defendants and
Phoenix National Bank and
W. A. Abrams Assignee of the
Bank of Sonora.
Intervenors and appellants
vs
Hugh McLorum
appellee

In this Cause the motion for rehearing filed herein by appellants having been fully considered by the Court and the Court being fully advised in the premises it is ordered that said Motion be and the same is hereby denied

July 31 1895

No #67 H.W. Ryder
appellant
vs
Henry Rixson
appellee.

In this cause the Motion for rehearing filed herein by appellant having been fully considered by the Court and the Court being fully advised in the premises it is ordered that said Motion be and the same is hereby denied.

No 105 Jose Maria Dortillon
appellant
vs
The United States of America
Respondent

Reversed

This cause having heretofore been argued submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court in this cause be and the same is hereby reversed and cause to remanded for new trial in the Court below.

No 1159 Duana Walker a minor by Rosette Jones her Guardian
appellant
vs
W.H. Walker et al
appellees

Affirmed

This cause having heretofore been argued submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court rendered in this cause be and the same is hereby affirmed

Dec 31. 1895

appellees herein do have and recover of and from the appellant herein, their costs incurred in the lower Court and the sum of Twenty Dollars their costs in this Court.

No 738

No 738

W. D. Gray. et al.

appellants

vs

Daniel Noonan

appellee

Reversed

Justice Hawkins dissents

This Cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court rendered in this Cause be and the same is hereby reversed and Cause is remanded for new trial, and it is further ordered, adjudged and decreed that appellants herein do have and recover of and from the appellee herein. their costs in the lower Court and the sum of One Hundred and fifty and 50/100 Dollars their costs in this Court.

No 788

Wm Jackson

appellant

vs

J.E. Walker Clerk District Court. Maricopa County

Appellee

On this Cause Motion for rehearing filed herein by appellant having been fully considered by the Court. and the Court being fully advised in the premises it is ordered that said Motion be and the same is hereby

July 21 1895

Robert Bowen
appellant
vs
Bank of British Columbia
appellee

In this cause the Motion for rehearing filed herein by appellant having been fully considered by the Court and the Court being fully advised in the premises it is ordered that the said Motion be and the same is hereby denied.

No 470

D. A. McRae
Plaintiff in Error
vs
Cochise County
Defendant in Error

This Cause having heretofore been submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered, adjudged and decreed that Defendant in Error herein do have and recover of and from the Plaintiff in Error herein. and John Summers and C. H. Wilds the sureties on the Appeal bond herein, the Sum of One Dollar appellees costs in the lower Court and the Sum of Twenty one Dollars its costs in this Court.

July 31 1895

No 188

The Canada del Oro Mines Limited (a corporation)
Frederick Clark Beckwith, Granville St. Stereford, and the
Tucson Mining and Smelting Company Limited (a corporation)
Appellants
vs
Frank Mittenberg
Appellee

This cause having heretofore been argued, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover from and from the appellants herein, and H.E. Tracy and H.B. Tenney the sureties on the appeal bond herein the sum of Forty Dollars appellees costs in the lower Court and the sum of Forty one 50/100 Dollars his costs in this Court.

It is ordered that the Court Rise at recess until 2 Oclock P.M.

2 Oclock P.M. July 31 - 1895

The Court reconvened after recess.

Present. His Honor Joseph H. Kibbey Associate Justice
" " Jno. J. Hawkins " "
" " J.D. Bethune " "

and the Clerk.

The following business was transacted

No 108

Thos. Oscar Porter
appellant
vs
The Territory of Arizona
Respondent

It is ordered in this cause that the hearing thereof be continued for the Term - and that a stay of execution of the judgment of the lower Court is hereby granted pending the appeal herein.

July 31 1895

No 490 J.E. Peters et al

appellants

vs

The Phoenix National Bank

appellee

The Motion for rehearing filed herein by appellant having been fully considered by the Court and the Court being fully advised in the premises it is ordered that said Motion be and the same is hereby denied.

In the matter of the application of L.E. Crowley by his attorney L.S. Ainsworth Esq for a writ of certiorari directing the clerk of the District Court of Maricopa County Arizona territory to certify up to this Court all his proceedings had by him concerning the bond of the Receiver appointed by said District Court in the case of The Gila Bend Reservoir and Irrigation Co. et al vs. W.H. Linn et al. and being Cause No 405 in this Court. Upon reading the petition of said L.E. Crowley herein it is ordered that the writ applied for be and the same is hereby denied

No 446 W.A. Paggs and R.R. Paggs

Defendants

and The Phoenix National Bank and D.A. Abrams Assignee of the Bank of Tempe. Intervenors and

Appellants

vs

Hugh McCormick

Appellee

And now on this 31st day of July 1895 this day being one of the days of the July adjourned Term of this Court. A.J. Paggs Counsel for appellants herein in open Court gave notice of appeal to the Supreme Court of the United States from the judgment of this Court in the above entitled cause. and filed affidavits of the proof of value of the amount involved in Controversy in this cause and upon the reading of said affidavits appearing to the Court that the amount in controversy is exclusive of Costs over $5000. to wit $5500. It is ordered in open Court the appeal be allowed as prayed for. The Phoenix National Bank Appellee's Exhibit

July 31, 1895

bond on appeal according to law in the penal sum of five thousand Dollars the sureties thereof to be approved by the clerk of this Court, and that said appellant have sixty days from this date to file said appeal bond

No 1733

J. M. Evans
Appellant
vs
J. W. Blankenship
Appellee

In this cause it is hereby ordered that the order made herein on the 13th day of July 1895. by the Honorable Jos. P. Bethune associate Justice of this Court. allowing an appeal herein to the Supreme Court of the United States be modified so as the same shall read as follows. "And on this 13th day of July 1895 the Court finds that Blocks 18 and 19 of Nealis Addition to the City of Phoenix Arizona Territory being the premises mentioned in plaintiffs and appellants Complaint in this Cause are of the value of $6000- and it is ordered that the appeal be allowed as prayed for."

It is ordered that the Court Stand adjourned until tomorrow Thursday at 9 o'clock A.M. August 1st 1895

Owen T. Rouse — Chief Justice
Jno J Hawkins — Associate "
Jos. P. Bethune — " "

Supreme Court
Territory of Arizona } July Term 1895
Prescott. Thursday August 1st. 1895.

The Court opened at 9 o'clock A.M. on this day.
Present

His Honor Owen T. Rouse Associate Justice
" " Jno. J. Hawkins " "
" " J.D.P. Bethune " "

J.F.B. Alexander Clerk
E.E. Ellinwood U.S. Attorney
W.K. Meade U.S. Marshal
J.P. Dillon Crier
J.F. Muma Bailiff
Robt. Meador Bailiff

The following cause and matters were taken up and considered and acted upon as follows. viz:

No 457 The Republican Publishing Co
Appellant
vs
Wm H. Gill.
Appellee

In this cause the motion for rehearing herein having been considered by the Court, and the Court being fully advised in the premises it is ordered that the said motion filed by appellant herein be and the same is hereby granted and that appellant have leave to file the transcript on appeal herein.

August 1st 1895

No #81

A. J. Schandler et al
appellants
Vs
Frank G. Austin et al
appellees

Reversed

This Cause having heretofore been argued by Mr J.P. Pope Counsel for appellants and by Mr J.H. Kibbey Counsel for appellees, Submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises, It is Ordered that the Injunction granted by the Court below in this Cause be and the same is thereby dissolved, and that this Cause be and is hereby reversed and remanded for new trial in the lower Court. and it is further ordered adjudged and decreed that the appellants herein do have and recover of and from the appellees herein their Costs and expenditures incurred in this Cause in the lower Court and the sum of One hundred and fifty seven and 70/100 Dollars their Costs in this Court.--

No #85

W. A. Harwood
appellant
Vs
A Wentworth
appellee

affirmed

This Cause having been heretofore submitted and by the Court taken under Consideration and the Court having fully Considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court rendered in this Cause be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and Paul B. Warnekros and Martin Baskett the Sureties on the appeal bond herein his Costs incurred in the lower Court in this Cause and the sum of Sixteen and 50/100 Dollars. his Costs in this Court

August 1st 1895

No 485

M.A. Harwood
appellant
vs
A. Wentworth
appellee

The appellant now in Open Court prayed an appeal to the Supreme Court of the United States on the ground that there is drawn in question in this case the validity of a statute and an authority exercised under the United States and it appearing that the validity of an act of the Legislative Assembly of Arizona is involved herein and the question whether the Legislative Assembly of Arizona has obeyed the laws of Congress. and whether an act of that Legislature is not void as not enacted as required by law and violates Acts of Congress governing the Legislative Assembly of Arizona and it appearing to the Court that those questions are involved therefore the prayer of appellant is allowed and an appeal allowed from this Court to the Supreme Court of United States in this case upon appellant executing bond for costs in the penal sum of One Thousand Dollars. within thirty days from this date to be approved by the Clerk of this Court.

In the matter of allowance of per diem to the Serier and bailiffs of this Court for this term of the Court the following was made. The Marshal is directed to pay to J.P. Dillon the sum of Eighteen Dollars for services as Serier of this Court on the following days towit July 8, 9th 10th 11th 12th 13th 15th and 31st and August 1st 1895 and to J.F. Mund and R.W. Meador the sum of Eighteen Dollars each for services as bailiffs of this Court on July 8th 9th 10th 11th 12th 13th 15th & 31st and August 1st 1895.

The following order was made Allowing the Clerk of this Court. per diem and mileage for the quarter ending September 30th 1895. Whereas J.F.B. Alexander Clerk of the Supreme Court of the territory of Arizona has presented to the Court an account for services rendered by him for attendance on the Sessions of

August 1 1895

Herein Charged for have been actually and necessarily rendered and performed as Therein Stated and it also appearing from the records of this Court that on the days hereinafter Mentioned Towit: July 8th 9th 10th 11th 12th 13th 15th and 31st and August 1st A.D. 1895 and for which services are charged the Court was opened for business and business was actually transacted and whereas said account appears to be just and according to law, It is ordered that said account amounting to the sum of $151.40 be and the same is hereby allowed for said sum of $151.40

The following Order was made by the Court allowing the clerk per diem for the quarter ending June 30th 1895.

Whereas J.F.B. Alexander clerk of the Supreme Court of the Territory of Arizona has presented to the Court his account for services rendered by him for attendance on the Sessions of the Supreme Court as such clerk and that the services therein charged for have been actually and necessarily rendered and performed as therein stated and it also appearing from the records of this Court that on the day hereinafter mentioned, towit: May 20. 1895 and for which services are charged the Court was opened for business and whereas said account appears to be just and according to law, It is Ordered that the said account amounting to the sum of $10.00 be and the same is hereby approved.

It is ordered that this Court stand adjourned sine die.

Chief Justice

Owen T. Rouse Associate "

J.H. McClintock " "

J.J. Richardson " "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Monday Jan 13-1896

The Court opened at 10. o'clock A.M.
Present
His Honor A. C Baker Chief Justice
" " O. T. Rouse Associate "
" " J. J Hawkins " "
" " J. D Bethune " "
J. C B Alexander Clerk
W K Meade Marshal
E E Ellinwood : U. S. Attorney

The following business was transacted.
The Marshal is directed to provide two bailiffs to remain in attendance during the term of this Court. Whereupon the Marshal appointed J. F. Briggs and Frank McClintock as bailiff. Joseph Pratt was appointed Crier.

On motion of Mr J B Early it is ordered that he have leave to file motion to set aside the Judgement of this court rendered at the July term 1895 in case No 467.

On motion of Mr James Riley Council for Appellee it is ordered that Mr Wm Herring be entered Council for Appellee in case No 390 and that Appellee have leave to file briefs in said Cause

On motion of Mr Thos Armstrong Jr it is ordered that he have leave to file motion to supercede the writ of Certiorari in Case No 455

The Court took a recess until 2 O'Clock this afternoon

Two O'clock P. M.
The Court [illegible] after recess

Jan 13-1896 Present Hon A. C. Baker Chief Justice
" O. F. Rouse Associate "
" J. D. Hawkins " "
" J. D. Bethune " "
J. L. B. Alexander Clerk

The following business was transacted

No 94 Chas A Wagner
Appellant
vs
The Territory of Arizona
Respondent

On motion of Attorney General consented to by Appellants Attorney it is ordered that this cause be submitted on the record on file herein.

No 95 A. B. Wisinger
Appellant
vs
The Territory of Arizona
Respondent

In this cause, on motion of the Attorney General, Counsel for Appellant consenting, it is ordered that the cause be submitted on Briefs.

No 106 In the matter of the application of E C Turney for a writ of Habeas Corpus
Petitioner
vs
The City of Phoenix
Respondent

It is ordered that this cause be set for hearing tomorrow at 10 o'clock A. M.

No 108 Frans Oscar Torrn
appellant
vs
The Territory of Arizona
Respondent

It is ordered in this cause that Wm E J Edwards be entered as Counsil for the appellant and that the cause be set for hearing January 15th 1896 at 10 O'clock A.M.

No 109 Jesus Lares
appellant
vs
The Territory of Arizona
Respondent

Passed Temporarily

On motion of the attorney General, it is ordered that Mr Flitch M Doan be entered as associate counsel for the Territory in this cause.

No 110 Tuck Booth
appellant
vs
The Territory of Arizona
Respondent

It is ordered that this cause be set for hearing on January 15th 1896 at 10 O'Clock A.M.

No 111 Gus Mudusback
appellant
vs
The Territory of Arizona
Respondent

It is ordered that this cause be passed temporarily.

Jan 13-1896
No 112

Lawrence M Kenon
Appellant
vs
The Territory of Arizona
Respondent

On motion of Attorney General it is ordered that Mr Wm M Lovell be entered as associate Counsel for the Respondent in this cause and hearing of same be passed temporarily.

No 113

Wm Schultz & Paul Locke
Appellants
vs
The Territory of Arizona
Respondents

On motion of Attorney General, it is ordered that Mr R E Morrison be entered as associate Counsel for the Respondent in this cause and hearing be passed temporarily

No 390

Adolph Cohen
Appellant
vs
A J Menard et al
Appellees

It is ordered that this cause be passed temporarily.

No 429

Juana Walker, a minor etc
Appellant
vs
W H Walker et al
Appellees

It is ordered that this cause be passed temporarily.

No 455 Gila Bend Res. + Irrigation Co et al
appellants
vs
W St L
appellee

It is ordered that this cause be set for hearing on January 16th 1896 at 10 o'clock A. M.

No 458 Thos. D Satterwhite
appellant
vs
Pima County
appellee

It is ordered that this cause be set for hearing on Jany 16th 1896 at 2 o'clock P. M.

No 471 Rochester Ford et al
appellants
vs
The Territory of Arizona
appellee

It is ordered that this cause be set for hearing on Jany 16th 1896 at 2 o'clock P. M.

No 478 Steven Miranda et al
appellants
vs
Chas. Leo Goldman
appellee

In this cause it is ordered that appellants counsel have 5 days to file brief on his motion for rehearing

Jan 13-96
No 482

T D McGlasson et al
appellants
vs
D A Bennett
appellee

On motion of Mr Wells for appellee it is ordered that Messrs Milloy & Bennett be entered as associate Counsel for appellee and that the cause be set for hearing on January 20th at 10 o'clock A.M.

No 487

Republican Publishing Co
Appellants
vs
W H Giel
Appellee

It is ordered that the hearing of this case be passed temporarily.

No 494

A. Bauer et al
appellant
vs
Egid Wagner et al
appellees

It is ordered that the hearing of this cause be set on January 18th 1896 at 10 O'clock A.M.

No 496

C B. Kelton
Appellant
vs
Colin Cameron
Appellee

It is ordered that this cause be passed temporarily.

No 497 C A Gautgens
appellant
vs
Peter Jenderson
appellee

It is ordered that this cause be set for hearing on January 18th 1896 at 10 oclock A.M.

No 498 J L Williams et al
appelant
vs
Cochise County
appellee

On motion of Attorney General, it is ordered that Mr Chas. A. Clark and G. W Swain be entered as as associate Counsel for appellee and on motion of Mr James Riley it is ordered that Mr M A Smith be entered associate Counsel for appellant and it is further ordered that this cause be set for hearing tomorrow morning at 10. O'clock.

No 502 Pima County
appellant
vs
Manley A. Snyder et al
appellees

It is ordered that this cause be set for hearing on January 21st 1896.

Jan 3-96
No 499

G. W. Bryan
appellant
vs
Cochise County
appellee

On motion of Counsel for appellant, Counsel for appellee consenting it is ordered that this cause be submitted on briefs.

No 500

John Lawler and
Ed N. Neely
appellants
vs
Eastford Burnett Co
appellees

It is ordered that this cause be set for hearing on Jany 20 1896 at 10 o'clock A.M.

No 501

The Santa Fe Prescott and
Phoenix R.R. Co
appellant
vs
Joseph Hurley
appellee

On motion of Mr Johnston for appellants, it is ordered that the Att'y Genl be and hereby is granted Counsel for appellant and cause set for hearing on Jany 20 th 1896.

No 503

John Krouse
appellant
vs
P. N. Darcich
appellees

It is ordered that this cause be set for hearing on Jany 20th 1896.

No 505 The Consolidated National Bank of Arizona
appellant
vs
Pima County
appellee

On motion of Mr Lovell for appellee it is ordered that the Attorney General be entered Associate Counsel for the appellee and cause set for hearing on Jany 22nd 1896

No 506 C A Stevens et al
appellants
vs
Abbie E Madleigh
appellee

It is ordered that this cause be set for hearing Jan 16th 1896.

No 507 Michael Sullivan
appellant
vs
Wm D Woods et al
appellee

It is ordered that this cause be set for hearing on Jany 20th 1896.

No 508 Nathan Hall et al
appellants
vs
M T Warren et al
appellees

It is ordered that this cause be set for hearing on January 21st, 1896

V

Jan 13-96

No 509 New York Life Ins Co
appellant
vs
Lena Peres et
appellee

It is ordered that this cause be set for hearing on January 24th 1896.

No 510 S. F. Miller
appellant
vs
John A Webb
appellee

It is ordered that this cause be set for hearing on Jany 24th 1896

No 511 S. M Otis
Appellant
vs
City of Prescott
Appellee

It is ordered that this cause be set for hearing on Jany 16th 1896

No 512 Jean D Charlouloux
appellant
vs
Pedro Charlouloux
appellee

It is ordered that this cause be passed temporarily

No 573 Annie Cadman etc
Plaintiff in error
vs
Old Dominion Copper Co.
Defendant in Error

It is ordered that this cause be passed temporarily.

No 574 N. Sharp
appellant
vs
Supervisors of Maricopa Co.
appellees

It is ordered that this cause be set for hearing on July 25th 1896.

No 576 County of Cochise
appellant
vs
Supervisors of Cochise Co
appellees

It is ordered that this cause be set for hearing on tomorrow at 10 O'clock A.M.

No 577 E C Stratton et al
appellants
vs
J P Wells
appellee

On motion of Mr Dean for appellant, it is ordered that Mr E. T. Wright be entered associate Counsel for appellant and cause be passed temporarily.

Jan 13-96

No 518 C R Douglass
appellant
vs
Ben Pace et al
appellees

It is ordered that the hearing of this cause be passed temporarily

No 519 United States of America
Appellants
vs
W. C. Daves et al
Appellees

On motion of U. S. Attorney it is ordered that appellants have 3 days to file briefs herein and that Appellees have 10 days to file their brief, and that cause be submitted on briefs.

No 520 J C Jordan
Appellant
vs
Maricopa County
Appellee

It is ordered that the hearing of this cause be passed till tomorrow morning

It is ordered that the Court stand adjourned till tomorrow at 10 o'clock A. M. January 14th 1896

A C Butler Chief Justice
Associate "
" "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Jan 14th 1896

Court met at 10 Oclock A. M

Present.

His Honor A. C. Baker Chief Justice
" " O. T Rouse associate "
" " J. J Hawkins " "
" " J. S. Bethune " "
J. L. B. Alexander Clerk
W. K. Meade Marshal
E. E. Ellinwood U. S. Atty
J. M. Pratt Crier
J. F. Briggs Bailiff
Frank McClintock "

The following business was transacted.

No 108 Frank Oscar Foren
Appellant
vs
Territory of Arizona } On motion of the Atty Genl it is ordered that Mr Grant Cox be entered as associate Council for Respondent.

No 106 In the matter of the application of E. O Sweeney for writ of Habeas Corpus
Petitioner
vs
The City of Phoenix Ariz
Respondent } This cause was argued by Mr Thos. Armstrong for petitioner and by Mr Pierce for Respondent, and submitted.

January 4/95

No 498 J. J. Williams et al appellants vs Cochise County appellee } Justice Bethune withdrew during the hearing of this cause

This cause was argued by Mr James Riley.

Recess till 2 o'clock P.M.

Two Oclock P.M. The Court reconvened after recess Present, His Hon A C Baker Chief Justice
" " C T Rouse Assoc "
" " J C Hawkins " "
and J R B Alexander Clerk.

No 498 J. J. Williams et al appellant vs Cochise County appellee } The argument in this cause was resumed, by Mr Chas J. Clark arguing for the appellee and Mr M A Smith for the appellants and ordered Submitted

No 516 County of Cochise appellant vs The Board of Supervisors of Cochise County appellee } In this cause Mr Chas J. Clark argued for appellant and ordered Submitted.

No 520 J C Jordan
appellant
vs
Maricopa County
appellee

This case ordered passed until tomorrow morning

It is ordered that the Court Stand adjourned until tomorrow at 10 o'clock AM January 15th 1896

A C Baker Chief Justice
Associate "
" "
" "

Supreme Court
Territory of Arizona } January Term 1896
Phoenix Wednesday
January 15th 1896

Court opened at 10. O'clock
a.m. Present

His Honor A C Baker Chief Justice
" " O. F. Doan assoc. "
" " J. J. Hawkins " "
" " J. L. Bethune " "

J. B. Alexander Clerk
W. K. Meade U. S. Marshal
E. E. Ellinwood U. S. Attorney.
J. M. Pratt Crier
J. F. Briggs Bailiff
Frank McClintock "

The following business was transacted.

No 523 Bank of Arizona
appellant
vs
William Larkin
appellee

On motion of C. G. Norris for appellant. It is ordered that the transcript in this case be filed and entered on the calendar as of Jany 13th 1896

No 522 Sigle Beckner
appellant
vs
Walter Scott
appellee

On motion of C. G. Norris for appellant. It is ordered that the transcript in this case be filed and entered on the

The Entering of minutes of the Court on this Pag- 327 was omitted by oversight

Jan N-1896

No 390 Adolph Cohen
appellant
vs
A J Mahan et al
appellees

It is ordered that this cause be passed till tomorrow morning

No 429 Juana Walker, a minor
by Rosita Jones her guardian
appellant
vs
W H Walker et al
Appellees

It is ordered that this cause be passed till Jan 20th 1896

No 455 Gila Bend Res & Irri Co. et al
appellants
vs
W H Linn et al
appellees

It is ordered that this cause be passed till tomorrow morning

No 467 H W Ryder
appellant
vs
Henry Rixon
Appellee

It is ordered that this cause be passed temporarily

No 475 Gila County
appellant
vs
J.W. Thompson
appellee

Motion to dismiss and ordered submitted.

No 476 Gila County
appellant
vs
J.W. Thompson
appellee

Motion to dismiss and ordered submitted.

No 478 Jesus Miranda etal
appellants
vs
Chas Leo Goldman
appellee

It is ordered that this cause be submitted.

No 484 The Canada del Oro Mining etal
appellants
vs
Frank Mullenberg
appellee

It is ordered that the motion for rehearing herein be submitted.

Jan 15-1896

No 495 The Mutual Life Ins. Co. Appellant vs Edward Ashleger appellee } Justice Rouse withdrew during the hearing of Argument in this cause.

In this case the motion to dismiss the appeal herein was argued by Mr E J Edwards for appellee, and by Mr H B Early for appellant and ordered that motion be submitted.

No 496 C B. Kellon appellant vs Colin Cameron appellee } Motion to dismiss and ordered submitted.

No 513 Annie Cadman Admx Plaintiff in Error vs The Old Dominion Copper Co Defendant in Error } On motion of Joseph Campbell for Defendant in Error It is ordered that the writ of error herein be dismissed.

No 520 J C Jordan appellant vs Maricopa County appellee } It is ordered that the motion to dismiss herein be submitted.

No 524 Wm A Hancock
appellant
vs
F W Pemberton
appellee

It is ordered that the motion to affirm herein be submitted.

No 525 A Ohnick
appellant
vs
M A Sherman
appellee

It is ordered that the motion to affirm herein be submitted.

No 108 Hans Oscar Toren
appellant
vs
The Territory of Arizona
Respondent

This cause was argued by E J Edwards for appellant and Frank Cox for Respondent and ordered that 5 days be given appellant to file brief and that Respondent have 5 days thereafter to reply and cause be then submitted.

No 517 E O Stratton et al
appellant
vs
D F Neels
appellee

It is ordered that the hearing in this cause be set on January 24th 1896

Jan 15-1896

No 527 Pinal County
appellant
vs
Thos F Needles
appellee

It is ordered that the Appellant in this cause have until January 16th 1896. to file affidavit therein

No 528 Pinal County
appellant
vs
Thos F Needles
appellee

It is ordered that the Appellant in this cause have until January 16th 1896. to file affidavit therein

(Recess till 2 O'clock P.M.

(2 O'clock P.M.

(After recess Court reconvened.

(Present

(His Honor A. O. Bunker Chief Justice
" " O. W. Rouse Assoc. "
" " D. Hawkins " "
" " J. S. Bethune " "

and the Clerk, The following business was transacted

No 110 Nick Worth
appellant
vs
Territory of Arizona
(Respondent

Justice Rouse withdrew during the hearing.

Argued by E. J. Edwards for appellant and by the Attorney General for

Ex parte Yates
Petitioner
vs
Hon Jno J Hawkins Judge
of the Dist Court of
Cochise County Territory
of Arizona Respondent

} Wm S.G. Morris the attorney for the petitioner in this cause presented a petition in open Court for a writ of certiorari; and moved the Court for the issuance of the writ. Thereupon it was ordered by the Court that said petition be submitted.

No 504 Geo N Pitts
Appellant
vs
The Mayor & Common
Council of the City of
Tombstone Arizona.

} It is ordered the hearing of this cause be had on January 18th 1896

It is ordered that Court stand adjourned till tomorrow morning at 10. Oclock A.M.

A C Baker, Chief Justice
Assoc "
" "
" "

Supreme Court } January Term 1896
Arizona Territory } Thursday Jan 16-96

Court met at 10 O'Clock A.M. Present

His Hon. A. C. Baker Chief Justice
" " O T Rouse Assoc "
" " J J Hawkins " "
" " J H Berkins " "

J L B Alexander Clerk
W K Meade U. S. Marshal
E E Ellinwood U. S. Atty
J M Pratt Crier
E A Briggs Bailiff
Frank McClintock "

The following business was transacted,

No 405 The Mutual Life Ins Co Appellant vs Edward Ambuger Admr Appellee } Opinion announced by Baker C.J.

It is ordered that Motion to dismiss be denied and Ref for hearing forthwith at 10 o'clock A.M.

No 425 H Orrick Appellant vs Fred Okerman Appellee. } Opinion announced by Rouse A.J.

The Motion to affirm the Judgment of the lower Court herein having been heretofore submitted and the Court having taken the same under consideration and the Court

fully advised in the premises. It is ordered that said motion be sustained and that the Judgment of the Court below in this Cause be and the same is hereby affirmed and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and P K Hickey & J D Reed the Sureties on the appeal bond herein his costs in this Court taxed at $17.00

No 524 Wm R Hancock & Lilly B Hancock
Appellants
vs
Thos H Pemberton
Appellee
} Opinion announced by Reed, J.

The motion of appellee herein to affirm the judgment of the lower Court in this Cause having heretofore been submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that said said motion be sustained, and that the judgment of the Court below in this Cause be and the same is hereby affirmed, And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and M. Wimmer and P H Beardsley the Sureties on the appeal bond herein the sum of Two hundred

Jany 16/96

premises described in the Judgment of said lower Court. The sum of twenty Nine and eighty four one hundredth dollars Appellee costs in the Court below and his Costs in this Court taxed at ($13.50) Thirteen and fifty one hundredth dollars

No 475 Gila County Appellant vs J W Thompson Appellee } Opinion announced by Bake C.J.

In this cause the motion of appellee to dismiss the appeal herein having been heretofore submitted and the Court having taken the same under consideration and having fully considered the same, and being fully advised in the premises, It is ordered that said motion be sustained and the appeal herein be and the same is hereby dismissed. And it is further ordered that the appellee herein do have and recover of and from the appellant herein, his costs in this court taxed at $13.50

No 476 Gila County
Appellant
vs
J W Thompson
Appellee

} Opinion announced by Barlow C. J.

In this cause the motion of appellee to dismiss the appeal herein having been heretofore submitted, and the Court having taken the same under Consideration and having fully considered the same, and being fully advised in the premises, It is ordered that said Motion be sustained and the appeal herein be and the same is hereby dismissed. And it is further ordered, adjudged & decreed that the appellee herein do have and recover of and from the appellant herein, his costs in this court taxed at $7.50

No 106 In the matter of the petition of O'Mahoney for a writ of Habeas Corpus
Petitioner
vs
The City of Phoenix
Respondent

} Opinion announced by Cunningham A. J.

This cause having heretofore been argued and submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Petition herein for a writ of Habeas Corpus, be and the same is hereby denied, with Costs

Jan 6-1896

No 329 C A Luke
appellant
vs
John Allen
appellee

In this Cause it is ordered that the motion to affirm, filed herein be passed temporarily.

No 455 Gila Bend Res & Irrigation Co
appellants
vs
W H Reavis et al
appellees

Baker C J withdrew during the hearing of this Cause

This Cause coming on for hearing, Mr J.B. Woodward argued for appellant.

A. Recess was taken by the Court until 2 O'Clock P.M.

Two O Clock P M

After recess the Court reconvened, Present

His Hon A C Baker Chief Justice
" " O T Rouse Assoc "
" " J J Hawkins " "
" " J D Bethune " "

and the Clerk

No 455. Gila Bend Res. & Irrigation Co
Appellants
vs
W H Linn et al
Appellees

The argument in this case was resumed by Mr John Stevens for Appellees

The hour of four o'clock having arrived the Court ordered further argument in this cause continued till tomorrow morning at ten A M.

It is ordered that the Court Stand adjourned until tomorrow morning Jan 17th 1896 at 10 o'clock A M

A C Baker Chief Justice
Assoc "
" "
" "

Supreme Court } January Term 1896
Arizona Territory } Morning Friday Jan 17th 96

Court met at 10 o'clock A M

Present

His Hon. A. C. Baker Chief Justice
" " O. F. Rouse Assoc "
" " E. D. Hawkins " "
" " J. D. Berkeme " "

E L B Alexander Clerk
W K Meade U. S. Marshal
E E Ellinwood U. S. Atty.
E M Pratt Crier
E F Briggs Bailiff
Hank McClintock "

The following business was transacted

No 520 S. C. Jordan
Appellant
vs
Maricopa County
Appellee
} Opinion announced by Hawkin a J

In this cause the motion to dismiss the appeal herein, having been heretofore submitted and the Court having taken the same under consideration and having fully considered the same, and being fully advised in the premises. It is ordered that said motion be sustained and the appeal herein be and the same is hereby dismissed. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and P J Cole M H McCord, sureties on the appeal bond herein its cost in the Court below and its cost in this Court taxed at $115.50

No 496 C. B. Kellon
Appellant
vs
Colin Cameron
Appellee
} Opinion announced by Hawkins a J
Rowe a J. dissents

In this cause the motion to dismiss the appeal herein, having been heretofore submitted, and the Court having taken the same under consideration and having fully considered the same, and being fully advised in the premises.

It is ordered that said motion be sustained, and the Judgment of the Court below be and the same is hereby affirmed, And it is further ordered adjudged and decreed that the appellee herein do have and recover of the appellant herein and Theo Gebler and E. Sipcomb Sureties on the appeal bond herein his costs in the court below and his costs in this court taxed at 6.50

No 113 Wm Schaelz & Paul Kozik
Appellants
vs
The County of Cayuga
Respondents
} It is ordered that this cause be set for hearing on January 27th 1896

Jan 17.96
No 111

Eliz. Mackeabee
Applicant
vs
The Secretary of Calgary
Respondent

It is ordered that this cause be set for hearing on Friday the 24th 1896.

No 112

Leigh Pearson
Appellant
vs
Neale Scott
Respondent

It is ordered that this cause be set for hearing on Jan 28th 1896.

No 113

Ella Bond (Revenigate &
Appellants
vs
W. A. Keim et al

Baker C.J. was not sitting during the hearing of this cause

The argument in this cause was resumed by Mr Bloom for appellee.

A recess was taken by the Court until 2 o'clock P.M.

At 11 o'Clock PM

After recess the Court recommenced

Present

The Chief Justice

" Mr Rowe Acting "

" " Newman " "

" " Backhouse " "

and the Clerk.

No 455 Celia Ward (Petitioner)
Respondent.
vs
Ward et al

Argument in this cause resumed by Mr W. Woodward for appellants, at the conclusion of which it was ordered that the cause be submitted

It is ordered that the Court stand adjourned till tomorrow at 10 O'Clock A.M. May 18th 1896.

A C Baker Chief Justice

" "

" "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Jan 18th 1896

Court met at 10 o'clock A.M.

Present

His Honor C. C. Baker Chief Justice
" O. F. Rouse Assoc "
" " J. Hawkins " "
" " J. H. Peshine " "
J. C. Alexander Clerk
W. K. Meade U. S. Marshal
E. E. Ellinwood U. S. Atty
J. M. Pratt Crier
J. F. Briggs Bailiff
Frank McClintock "

The following business was transacted.

No 455. The Gila Bend Reservoir & Irrigation Co. et al Petitioners
vs
The Dist Court of the Third Judicial Dist. of the Territory of Arizona in and for the County of Maricopa, and Jam. McMillan as receiver of the property of the Gila Bend Reservoir and Irrigation Co., the Arizona Construction Company and the Peoria Canal Company Defendants

Opinion announced by Justice Hawkins

In this cause the motion of Defendants Attorney filed herein to supersede the writ of certiorari issued heretofore in this cause, having been heretofore heard argued and submitted and the Court having taken the same under advisement, and the Court having fully considered the same and being fully advised in the premises. It is ordered that said motion be sustained and that the said writ of certiorari be and the same is hereby dismissed with costs.

No 498 J. J. Williams, M. A. Gilman and John Montgomery, Supervisor of Cochise County, Arizona and D. F. Vickers Treasurer of Cochise County
Appellants
vs
Cochise County
Appellee

Opinion Announced by Justice Hawkins

This Cause having been heretofore argued and submitted and by the Court taken under Consideration and the Court having fully Considered the Same, and being duly advised in the premise Of it is ordered that the Judgment of the Lower Court herein be and the Same is hereby affirmed, with Cost. It is further ordered adjudged and decreed that the Appellee Herein do have and recover of and from the Appellants Herein and Martin Critchlo and George W Otts Sureties on the appeal bond herein the Cost in the Court below and the Cost in this Court taxed at $100

No 518 In the County of Cochise
Appellant
vs
The Board of Supervisors of Cochise County
Appellees

Opinion Announced by Justice Hawkins

This Cause having been heretofore Submitted, and the Court having Taken the Same under Consideration and the Court having fully Considered the Same, and being fully advised in the

Jan 18th 96

of the Lower Court herein be and the same is hereby affirmed with costs. It is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein his costs in this court taxed at $20.00

No 494 John Pemberton appellant vs W H. Duryea appellee } Opinion announced by Chief Justice Baker

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the Judgment of the Lower Court be and the same is hereby reversed with costs and this cause remanded for a New Trial. and it is further ordered adjudged and decreed that appellant herein do have and recover of and from the appellee herein his costs in this Court taxed at the Sum of Fifty three and 20/100 Dollars

No 94 Charles C Wagoner
Appellant
vs
The Territory of Arizona
Appellee

} Opinion announced by Chief Justice Baker

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the lower Court ~~herein~~ and the same is hereby affirmed.

No 95 J. B. Finnegan
Appellant
vs
The Territory of Arizona
Appellee

} Opinion announced by Chief Justice Baker

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the Lower Court be and the same is hereby affirmed.

Jan 18/96

No 437

R. N. Root
appellant
vs
Stanley Fay
appellee

Opinion announced by Chief Justice Baker

This cause having heretofore been submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the Judgment of the Lower Court be and the same is hereby reversed with costs and cause remanded for a New trial. And it is further ordered adjudged and decreed that the appellant herein do have and recover of the appellee herein his costs ~~expended~~ in this behalf ~~Expended~~ before in this cause and his cost in this Court taxed at $174.00

No 450

The Northwestern National Bank et al
Appellants
vs
M. B. Truman. F. A. Kimball and W. Hoskins Jr. a Copartnership doing business under the firm name of the Arizona Central Bank and John Doris
Appellees

Opinion announced by Chief Justice Baker Justice Rouse dissents.

This cause having been heretofore submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the Lower Court ~~Reversed~~ be and the same is hereby Affirmed, with costs And it is further ordered adjudged and decreed that the appellee herein do have

and D. M. Riordan, F. W. Sisson and T. A. Riordan the sureties on the appeal bond herein the sum of Ten thousand four hundred and Thirty eight and 33/100 Dollars with interest thereon at the rate of one and one half per cent per month from the 21st day of August 1894 until paid together with the sum of Twenty seven and 70/100 Dollars costs of the lower Court and attorneys fees to the amount of Six Hundred Dollars, and the costs of this Court taxed at Thirty eight Dollars. Accordingly

No 110 Nick Borich
Appellant
vs
The Territory of Arizona
Appellee

} Opinion announced by Chief Justice Bonn

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the lower Court herein, and the same is hereby affirmed.

Jan 1896

No 445

E. W Scarcerys and
Quincy A Shaw
Appellants
vs.
Michael Mulck
Appellee

Opinion announced by Chief Justice Baker

This cause having been heretofore submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the Lower Court be and the same is hereby reversed with Costs, and cause remanded for new trial and it is further ordered adjudged and decreed that the Appellants herein do have and recover from the Appellee herein their costs in this Court taxed at $ 3.50

No 427 John Palmer
Appellant
vs
J W Reed
Appellee

Opinion announced by Chief Justice Baker

This cause having been heretofore submitted, and the Court having taken the same under consideration. and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the Lower

with costs, And it is further ordered adjudged and decreed. that the Appellant herein do have and recover from the Appellee herein his costs in this Court taxed at Seventy four 70/100 Dollars-

No 450 Northwestern National Bank et al
Appellants
vs
C. H. Pierman et al Partners and
Pierman & Co a Copartnership
doing business under the firm name
of the Virginia Capital Bank and
Dorin Ferries
Appellees

In this Cause

Mr Ellicwood moved the Court for
leave on behalf of the Appellants
whereupon the Court took the matter under
advisement.

Jan 18 96

Wm. Yates
Petitioner
vs
Hon Jno J Hawkins Judge
of the Dist Court of
Yavapai County Territory
of Arizona

Motion overruled
by Chief Justice Baker
Justice Rouse dissents

In this Cause having
been heretofore submitted, and the Court
having taken the same under Consideration
and having fully considered the same,
It is ordered that the petition for a writ of
Certiorari in the Cause herein be denied.

#6455 Elia Bond (Rec'r &c.) et al
Appellants
vs
P. L. Quin et al
Appellees

In this Cause
permission was granted by the Court to
the appellants herein to file copy of
the argument, on Monday Jany 20th 1896

No 4-72 United States of America
Appellant
vs
Philip Drachman A Goldberg
and Jno C Dennis
Appellee

Opinion announced by Justice Hawkins

This cause having been heretofore submitted and the Court having taken the same under Consideration and the Court having fully Considered the same and being fully advised in the premises. It is ordered that the Judgment of the Lower Court, having and the same is hereby Reversed with and cause remanded for a new trial Costs, and it is further ordered adjudged and decreed that the Appellant herein do have and recover of and from the Appellees herein their costs in this Court taxed at $8.00

It is hereby ordered that a Requisition for Stationary for use of the Supreme Court of Arizona for the Term 1896 be made as follows, Viz

One Ream White Legal Cap Paper	8.00
One Ream Yellow cap "	1.50
One Bottle Rubber Paste	.30
One Quart Bottle Writing Fluid	.75
One Box Blue Pens	1.25
One Doz Pen Holders	1.00
Three Doz Lead Pencils	3.00
One Thousand Letter Heads	6.50

And it is further ordered that the Marshal procure said Stationary and deliver the same to the Clerk of this Court for use of the Court.

It is ordered that Court stand adjourned till Monday morning at 10 oclock Jan 20th 1896

A C Baker Chief Justice
Associate

The Supreme Court } January Term 1896
Territory of Arizona } Room 9 Monday Jan 20-96

The Court met at 10 o'clock A.M. Present

Hon. Edm. C. Baker Chief Justice
" " O.H. Rouse Assoc. "
" " J. Wanvliss " "
" " C.T. Bethune " "

J.B. Alexander Clerk
M.M. Meade U.S. Marshal
E.E. Ellinwood U.S. Atty
J.M. Pratt Court Reporter
R.H. Briggs Bailiff
Thos. H. McClintock "

The following proceedings were transacted.

No 573 The Board of Supervisors of Maricopa County Appellant vs Wm Larkin Appellee

It is ordered that motion to affirm be submitted, in this Cause

No 529

C. A. Rucker
Appellant
vs
Jno Allen
Appellee

The motion to affirm the Judgment of the Lower Court having been submitted and the Court having taken the same under consideration and the Court having fully considered the same, and being fully advised in the premises,

It is ordered that said motion be sustained and that the Judgment of the Court below in this cause be, and the same is hereby affirmed, with Costs and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein,

No 530 Joseph Baker
Appellant
vs
J. D. Meehan et al
Appellees

In this cause it is ordered that the hearing be set for January 22nd 1896, at 10 O'Clock A. M. on the motions herein filed.

Jan 22 1896

No 429

Juana Walker a Minor
Appellant
vs
W H Walker et al
Appellees

It is ordered that this cause be set for hearing on Jany 22nd 1896 at 10 AM on the motion filed herein

No 467

C H Ryder
Appellant
vs
Henry Rixon
Appellee

It is ordered that the Motion to set aside judgment be set for argument on Jan 22nd 1896

No 504

New York Life Ins Co
Appellants
vs
Ana Rey. Executrix
Appellee

It is ordered that this cause be set for hearing on Jany 27th 1896

No 510 C. F. Miller
appellant
vs
John A. Webb
appellee

It is ordered that this cause be set for hearing on January 27th 1896

No 518 Charles R Douglas
appellant
vs
Ben Pace et al
appellees

It is ordered that this cause be set for hearing tomorrow morning January 21st 1896 at 10 O'Clock A.M.

No 4647 John Shroufe and Chas O'Connell
(Partners doing business under the firm name and style of John Shroufe & Co.
appellants
vs
Eato Bro & Co
appellees

(Civil Docket)

This cause having been heretofore submitted, and the Court having taken the same under consideration, and the Court having fully

Jan 20-1896

in the premises. It is ordered that the Judgment of the Lower Court be, and the same is hereby affirmed with Costs and it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and W B Penney and E E Tracy the Sureties on the appeal bond herein the sum of Three thousand four hundred and forty one dollars with interest thereon at the rate of Seven per cent per annum from the 23d day of November 1894 until paid and the sum of eleven and fifty one hundredth dollars, appellees costs herein in the Court below and appellees cost in this Court taxed at Twenty eight and fifty one hundredths dollars.

No 477 — Nettie A Sullivan and Patrick Sullivan, Appellants vs William Garland and The Gila Valley, Globe and Northern Railway Company, Appellees — Opinion announced by Justice Bethune.

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully Considered the same and being fully advised in the premises It is ordered that the Judgment of the Lower Court be and the same is hereby Reversed, with Costs.

And it is further ordered adjudged and decreed that the Appellants herein do have and recover of and from the Appellees herein, their costs in this Court taxed at $78.50

No 458 Thos S Hatton et ux
Appellant
vs
Pima County
Appellee

This cause was argued by Rochester Ford for appellant and by E. W Wright for appellee and ordered submitted.

No 471 Rochester Ford Colin Cameron and D. M Jacobs
Appellants
vs
The Territory of Arizona
Appellee

On motion of Mr Rochester Ford appellant herein & Attorney Gen'l. consenting It is ordered that this cause be submitted on briefs

Cause was taken by the Court this 20 day of Oct

Jan 29/96

Two O'Clock P.M.

The Court reconvened after recess

Present

His Honor C. E. Baker Chief Justice

" " O. C. Rouse Assoc. "

" " J. D. McCullough " "

" " J. T. Bathurst " "

and the Clerk.

On motion of Mr Jerry Midday and the presentation of a license from the Supreme Court of Colorado. It is ordered that Mr Christian O Anderson be admitted to practice in this Court upon his signing the roll of Attorneys and taking the usual oath.

No 337

Frederick W Smith, Herbert H. Logan
Jerome Franklin, Lincoln Fowler
William J Murphy, Henry E Kemp
Jerry Midday, Nathan A Morford
Wm D Fulweiler, Ephram J Bennett
William Christy Marian Zamenicgo
and Lorino Otero
Appellants
vs
United States of America
Appellee.

Opinion announced by Justice Harlan

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the Crown Court herein be, and the same is hereby affirmed with Costs.

And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and C. W. Shine and J. W. Evans

in this Court taxed at the sum of Twelve —— Dollars.

No 408 — Norman D Hatterwhite, Appellant vs Pima County, Appellee. } Opinion announced by Justice Hawkins.

This cause having been heretofore submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises

It is ordered that the judgment of the lower Court be, and the same is hereby affirmed with Costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and W T Gibson and R. M. Jacobs the sureties on the appeal bond herein its costs expended in the Premises together with the costs of this Court taxed at $24.00

(Jan 29 '40

No 378 The Bank of Arizona
Appellant
vs
Wm Rankin
appellee

It is ordered that the motion of appellee filed herein to affirm the judgment of the Lower Court in and the same is hereby denied.

No 455 Wm H Linn. Chas B King Executor of the will of Chas B King Deceased; Wm M Benton. Wm Gift. Wm T. McKean Jacob Wachenheimer Jacob Schwabacher Henry Schwabacher and Chas McGlouin
Appellees.
vs
The Gila Bend Reservoir and Irrigation Company. (a Corporation) The Arizona Construction Company (a Corporation) The Peoria Canal Company (a Corporation) Geo W. Trenholm. John A Francis C E Crowley. Redmond Dorsey John C Wynn and J M Burnett
Appellants

Decision Announced by Justice Lyon

This cause having heretofore been submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises.

It is ordered that the judgment of the Lower Court herein be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the

and from the appellants herein and John Y. Mc Smith and F.H. Goodrich the sureties on the appeal bond herein their costs in the lower court incurred herein fixed at # and their costs in this Court taxed at the sum of Thirty eight and 00/100 Dollars.

No 495 The Mutual Life Ins Co of New York, a Corporation
Cit Respondent

vs

Edward Cahalan, Admr
Appellee

} Certain Causes
Withdrawn during
the hearing of the
Cause.

This Cause was argued by Mr Early for Appellant and by Mr Edwards for Appellee, Thereupon it was ordered that appellee have five days within additional brief herein and that the Cause be submitted

Ordered that Court be adjourned until tomorrow morning January 21st 1896 at 10 oclock

A C Baker
Chief Justice
Supreme Court

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Jan 21st 1896

The Court met at 10.

O'Connor A.J. Present

His Honor A.C. Baker Chief Justice
" " J.H. Rouse Assoc "
" " J.D. Hawkins " "
" " J.J. Berkhimer " "

J.B. Alexander Clerk
M.F. Meade U.S. Marshal
E.E. Ellinwood U.S. Atty
J.M. Pratt Crier
J.E. Briggs Bailiff
Thos. McClintock "

The following business was transacted

No 428 Arnold Gold and Silver Mining Company. J.A. Lamson, L.W. Sessions and J.H. Sessions and R.L. Judson
Plaintiff in Error
vs
T.C. Cowen
Defendant in Error

Opinion announced by Chief Justice Baker

Justice Rouse dissents

This cause having heretofore been submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises.

It is ordered that the judgment of the lower Court be, and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the Defendant in error herein do have and recover of and from the Plaintiff in Error herein and W.W. Taggart & O.K. Peachy the sureties on the appeal bond herein, the sum of $592.70 with interest thereon and costs and foredoom of this together with his costs in this cause taxed at $23.00

No 471 Rochester Ford, Colin Cameron and D. M Jacobs appellants vs The Territory of Arizona appellee } Opinion announced by Chief Justice Baker

This cause having heretofore been submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the appellee herein to have and recover of and from the appellants herein and Ben Abney and Leo Goldschmidt sureties on the appeal bond herein the sum of Five hundred Four dollars and its costs in the Court below and the sum of Seven dollars its costs in this Court.

No 523 The People of Arizona appellant vs Wm Lewis appellee } In this cause, upon motion of Mr Speight atty for appellee, it is ordered that appellee be granted 60 days time in which to file brief herein.

Jan 21/96

No 109

Jesus Lares
Appellant
vs
The Territory of Arizona
Respondent

In this cause, upon the motion of Mr Ehlich for Dean attorney for Respondent, it is ordered that this cause be set for hearing tomorrow morning January 22 1896 at 10 O'clock A M

No 497

C. A. Gaetjens
Appellant
vs
Peter Anderson
Appellee

In this Cause, upon motion of Mr Herring, attorney for the Appellee herein, It is ordered that this Cause is dismissed on briefs on file

No 503

John Stroupe and Chas Gower
Partners as John Stroupe & Co
Appellants
vs
D. McBrick
Appellee

In this Cause upon motion of Mr Herring attorney for Appellee herein It is ordered that this Cause be set for hearing

No 511 C. M. Otis
Appellant
vs
The City of Prescott
Appellee

Justic Hawkins withdrew during hearing of this cause

This cause was argued by C. M. Johnston for appellant and by J. F. Wilson for appellee, and cause ordered submitted.

No 506 C. A. Stevens et al. W. Grosetta
and W. A. Read
C. A. Dukes et al
vs
Abbie E. Madeigh
Appellee

Upon motion of C. M. Wright attorney for appellants herein It is ordered that this cause be reset for hearing on Thursday 23rd inst.

Court then at 2 o'clock P. M.

Jan 21st 96

Two O'Clock P.M. The Court Reconvened after Recess. Present

His Honor A. C. Baker Chief Justice
" " A. P. Rowe Assoc "
" " J. E. Hawkins " "
" " J. L. Bethune " "

and the Clerk.

No 499 George N Bryan
Appellant
vs
Cochise County
Appellant

} Opinion announced by Justice Hawkins

This Cause having been heretofore submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises.

It is ordered that the judgment of the lower Court be, and the same is hereby affirmed with Costs, and it is further ordered adjudged and decreed that the Appellee herein do have and recover of and from the Appellant herein and Martin Costello and Paul B Warner Bros the Sureties on the Appeal bond herein its cost in the Court below and its cost in the Court taxed at $

No 504 George H Fitch
Appellant
vs
The Mayor and Common Council
of the City of Tombstone
Cochise County Arizona
Appellees

} In this Cause, upon

the motion of Chas A Clark attorney for appellant It is ordered that the appellant be granted permission to file motion to dismiss herein.

No 494 A Bauer and Maria Bauer and George A Metcalf Appellants vs Egid Wagner, John Stumpf and Joseph Stumpf Appellees } Justice Rathbun withdrawing the hearing of this cause

This cause was argued by Mr Chas A Clark for Appellants and ordered submitted

No 504 George H Pitts Appellant vs N. F. Mayo and Lemon County and City of Anaheim Municipality Appellee } It is ordered in this cause, that motion of appellant to recommit the record herein be over ruled the cause is ordered submitted

370

Jan 21/96

No 482 J D M^c Gibbon and C J Chandler
Appellants
vs
D A Dewar
Appellee

Chief Justice Baker withdrew during the hearing of this cause

This Cause was argued by Mr Pope for appellants and argument continued till tomorrow Jan 22-96

No 521 P. J. Curtis
Appellant
vs
Robert Faulkner and A Eckstein and C W Gray Assignee
Appellees

It is ordered that this cause be set for hearing Jany 28th 1896. on motion of Walter Barnett for appellee.

No 484 The Canada Chromo mines Limited (a Corporation) Frederick Clark Beckwith Frank Hereford and The Tucson Mining and Smelting Co Limited a Corporation
Appellants
vs
Frank Millenberg
Appellee

In this Cause it is ordered that motion for rehearing

It is ordered that Court stand adjourned until tomorrow Morning January 22nd 1896 at 10.0 clock A. M

A C Baker Chief Justice
Assoc "
" "
" "

Supreme Court } January Term 1896
Territory of Arizona } Wednesday Jan 22- 96

The Court met at 10 O clock A.M. Present

His Hon A. C. Baker Chief Justice
" " O. A. Rouse Assoc "
" " J. J. Hawkins " "
" " H. F. Bethune " "

R W Alexander Clerk
W H Meade U.S. Marshal
E E Ellinwood U.S. Atty
M Grant Crier
A A Briggs Bailiff
Frank McClintock "

The following business was transacted

No 454 Albert E. Kingfield and Rosa Zickendorf Co-partners under the firm name of A Zickendorf & Co Appellants vs W. F. Overton Treasurer and ex officio Tax Collector of Pima County, Arizona Appellee

Opinion announced by Justice Hawkins

Jan 23 96

Having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the Lower Court be and the same is hereby Reversed with costs. and Cause remanded for a new trial. with directions to the Lower Court to receive evidence concerning the proceedings of the County Board of Equalization with respect to the property in this Cause involved and it is further ordered adjudged and decreed that the Appellant herein do have and recover of and from the Appellee herein their cost in this Court taxed at $6.80

No 459 E. A. C. Patton
Appellee.
vs
J. J. Cottrell, surviving partner of the firm of J. J. Cottrell & Company and C. M. Pemberton Administrator of the Estate of Oscar L. Webb, Deceased
Appellants

Opinion announced by Justice Hawkins

This Cause having heretofore been submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the Lower Court is and

and decreed that the appellee herein do have and recover of and from the appellants herein his costs in this Court taxed at Thirty one dollars.

No 497 E A Gaetjens Appellant vs Peter Jansen Appellee } Motion announced by Justice Hawkins

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises Doth order and decree that the Judgment of the Lower Court be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and A. B. Warnekros and J M McDonough the Sureties on appeal bond herein, the sum of fifty dollars as damages and the costs in this Court taxed at $25.00

January 26

No 511

No 511
Appellant
vs
The City of Prescott
Appellee

Opinion announced by Chief Justice Baker

This Cause having been heretofore submitted and the Court having taken the same under Consideration and the Court having fully Considered the same and being fully advised in the premises

It is ordered that the Judgment of the lower Court be and the same is hereby Affirmed with Costs. And it is further Ordered adjudged and decreed that the Appellee herein do have and recover of and from the Appellant herein and Joseph Horton and R Miggins the Sureties on the appeal Bond herein its costs in this Court taxed at Seventeen dollars

No 530
Chas Blackburn et al
Appellants
vs
The United States of America
Appellee

Upon the motion of the U. S. Attorney, it is ordered that the motion to dismiss be called, and it is further ordered on motion of R E Sloan for appellant that the appellant herein be granted ten days to answer said motion.

No 483 The Republican Publishing Co. Appellants vs William H Gist Appellee } It is ordered that this cause be set for hearing on January 29th. 1896 on motion of H H Martin attorney for appellant

No 482 T. D McGlasson & A J Chandler Appellants vs D A Revell Appellee } Baker C. J. withdrew during hearing of this cause

The argument was resumed in this cause. Mr Bennett and Mr Cox argued for appellee and Mr Pope for appellant and cause ordered submitted.

Court was taken by the Court till 2 P.M.

Jan 27/96

Tho O Odell Esq. Atty Genl

Court reconvened

Present His Hon A C Baker Chief Justice
" " O.T. Rouse Assoc "
" " J.J. Hawkins " "
" " J.L. Berkhure " "

and the Clerk.

No 502 Pima County
Appellant
vs
Manley S. Snyder and
Thos Hughes et al
Appellees

On motion of C.H. Wright for appellees it is ordered that this cause be next for Jan 30th 1896

No 505 The Consolidated National Bank of Arizona and H.B. Tenney
Appellants
vs
Pima County and W.H. Overton
Appellees

On motion of C.H. Wright for appellants it is ordered that this cause be next for Jany 30th 1896

No 507 Michael Sullivan
appellant
vs
Julian O Woods and
Reuben M Aldridge
appellees

On motion of C. N. Wright for appellants. it is ordered that this cause be reset for Jan 30th 1896.

No 517 E. O Stratton and J M Cobra
Appellants
vs
J O Wells
Appellee

On motion of C N Wright for appellant it is ordered that this cause be reset for Jan 30th 1896

No 506 C C Stevens & B. Grosetta
and M. A. Read
Appellant
vs
Abbie E Madleigh
Appellee

On motion of Th K Hereford for appellee it is ordered that this cause be set for Jan 30th 1896

Jan 22/96

No 109

Jesus Tares
Appellant
vs
The Territory of Arizona
appellee

Justice Rouse withdrew during hearing of this cause.

In this cause Mr E.W. Doan argued for Respondent. Appellants attorney not being present It was ordered that the cause be submitted. on the argument and brief of Respondent and on the brief of appellant - herein filed.

No 500

John Fawler and Ed F. Wells
Appellants
vs
Bashford Burmister Company
appellee

Justice Hawkins not sitting being disqualified

In this cause J. F. Wilson argued for appellants whereupon it was ordered that the argument in this cause be continued till tomorrow morning

It is ordered that Court stand adjourned till tomorrow morning at 10 O'clock

A C Baker Chief Justice
Assoc "
" "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Thursday Jan 23-96

The Court met at 10.

Present

Hon C. C. Bake Chief Justice
" O. F. Rowe Assoc "
" J. H. Hawkins " "
" D. H. Bethune " "

J. W. Alexander Clerk
W. K. Meade U. S. Dist Atty
E. E. Ellinwood A. U. S. Atty
M. Pratt Crier
F. Briggs Bailiff
Thos. McClinton "

The following business was transacted

No 500 John Rourke and Ed. H. Wells
Appellants
vs
The Standard Quicksilver Co.
Appellee

Justice Hawkins did not sit in this Cause

Argument in this cause was resumed by Mr Herndon and Mr Wilson for appellee and by Mr Wilson for appellants and Cause ordered submitted,

No 501 Carter Brown H. Harris et al
Appellants
vs
Benjamin Harley
Appellee

This Cause was argued by Mr Hoon for appellant.

Session was taken by the Court till 2 PM

Jan 23/96

Ten O'Clock (P.M.)

Court reconvened after recess.

Present

The Hon. Chas. C. Baker Chief Justice

" " O. T. Rouse Asso. "

" " J. D. Bethune " "

and the Clerk.

No 337 Frederick W. Smith, Herbert H. Logan
Lemuel Franklin Lincoln Fowler
William J. Murphy, Henry E. Kemp
Henry Midday, Nathan C. Morford
Wm. D. Baldwin, Ephraim J. Bennett
William Christy, Marian Tamenigo
and Fabino Olen
Appellants
vs
The United States of America
Appellee

On motion of U. S. Attorney it is ordered that the Judgment of this Court heretofore rendered in this cause; to-wit, on the 20th day of January 1896, be and the same is hereby modified so as to include therein interest at the rate of 6 per cent per annum on the sum of $5934.96 the amount for which Judgment was rendered by the Court below in this cause from the 18th day of February 1891 the date of said Judgment in said Court below, until paid,

No 501 The Santa Fe Prescott & Phoenix R R Co
appellants
vs
Joseph Hurley
appellee

The argument in this cause was resumed by Mr Sloan for appellant and by Mr Wilson for appellee, and it was ordered that further argument be continued till tomorrow morning

It is ordered that Court Stand adjourned till tomorrow morning January 26th at 10 oclock A.M.

Chief Justice
Assc "
" "
" "

Supreme Court
Territory of Arizona } January Term 1896
Phoenix Friday Jan 31st 96

Court met at 10 Oclock A. M.
Present

His Honor C. C. Baker Chief Justice
" " A. F. Rouse Assoc "
" " J. J. Hawkins " "
" " J. J. Bethune " "

J. B. Alexander Clerk
W. H. Meade U. S. Marshal
E. E. Ellinwood U. S. Atty
J. M. Pratt Crier
E. H. Briggs Bailiff
Frank M. Clinton "

The following business was transacted

No 09 Jesus Lares
Appellant
vs
The Territory of Arizona
~~Appellee~~ Respondent } Opinion announced by Chief Justice Baker

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the Judgment of the lower court ~~Reversed~~ Affirmed and the same is hereby

No 500 John Lawler v Ed N Wells
Appellants
vs
The Dearfield Burnside Co
Appellees
} Opinion announced by Justice Rowe

This Cause having been heretofore submitted and the Court having taken the same under Consideration and the Court having fully considered the same and being truly advised in the premises It is ordered that the Judgment of the Lower Court herein be, and the same is hereby Reversed with Costs and Cause be remanded for a new trial, with directions to Lower Court to allow appellants herein to file answer in said Cause.
And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein their Cost in this Court taxed at $3.10

No 512 James D Charlambeus
Appellant
vs
Pedro Charlambeus
Appellee
} Opinion ordered that this Cause be set for hearing this after noon at 2 o'clock.

January
Term 1901

No 501 Anna C. Russell N. Koenig (R.C.)
Appellant
vs
Joseph Hurley
Appellee

(Justice Harlan
did not sit during
hearing of this Case

The argument in
this cause was resumed by Mr Wilson
for Appellee.

A recess was taken by the
Court till 2 o'clock P.M.

On reconvening pursuant to recess
the Court
resumed after recess
Present
Hon Melville W Fuller Chief Justice
" " Oliver Wendell Holmes "
" " John M Harlan "
" " David J Brewer "
and the Clerk

No 501 Anna C. Russell N. Koenig (R.C.)
Appellant
vs
Joseph Hurley
Appellee

(Justice Harlan
not sitting
with leave during
hearing of this Cause

The argument in
this cause was resumed, and concluded by Mr U. M
Johnston for appellant and Mr Edmund
Pendleton for

No 512 Jean (P Charlonteux
appellant
vs
Pedro Charlonteux
appellee

Justis Bullion did not sit during hearing of this cause

This cause was argued by Mr Alexander Campbell for appellant and by Mr W A Barnes for appellee

It was ordered that the appellee be granted till Monday Feby 3d 1896 to file reply brief and cause ordered submitted

It is ordered that Court stand adjourned till Monday February 3d 1896

A C Baker Chief Justice
" "
" "
" "

Supreme Court } January Term 1896
Territory of Arizona } Morning Feby 3rd 1896

Court met at 10 Oclock AM

Present

Hon Edmund A Baker Chief Justice
" " E F Rouse Assoc "
" " E D Hawkins " "
" " J D Bethune " "

J R B Alexander Clerk
E E Ellinwood U. S. Atty
J M Pratt Crier
E F Briggs Bailiff
Frank McCentock "

The following business was transacted

No 429 Juana Walker a minor by Rosita Jones her guardian
Appellant
vs
M M Walker et al
Appellees

(Opinion announced by Hunter C Justices

In this case it is ordered that the motion for rehearing be granted and on motion of Webster Street for appellant it is further ordered that cause be set for hearing on Thursday 7th inst. Filed Herein

No 482 J. D. McGlamon & A. J. Chandler
Appellants
vs
D. A. Ferrell
Appellee
} Opinion announced by Justice Hawkins

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises

It is ordered that the judgment of the lower Court herein, be and the same is hereby affirmed with Costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the Appellants herein and B. Heyman and W. W. Messenger the sureties on the appeal bond herein the sum of Six Hundred and Thirty and 16/100 dollars ($630 16/100) with interest thereon at the rate of one and one half per cent per month from Oct 13-1894 until paid together with Appellee's costs in the Court below and Attorney's fee therein amounting to the sum of $53.00 and the costs in this court taxed at $18.50

No 518 Chas. N. Dreyfus
Appellant
vs
Chas. Pacetti
Appellee
} It is ordered that the

Cause be dismissed

July 3d 96
No 390

Adolph Cohn
Appellant
vs
A J Mehan et al
Appellees

In this cause the motion to set aside the judgment of this Court was taken up and argued by Mr Wm Herring for appellee and by Mr Wm H Barnes and M. A. Smith for appellants. and Cause Submitted ~~Whereupon~~ it is ordered that the motion to set aside judgment be denied and motion for rehearing herein be granted and cause set for hearing on July 7th 1896 at 2 oclock P.M.

No 518 Chas A Douglas
Appellant
vs
Ben Pace et al
Appellees

In this cause it is ordered that the order of Submission made heretofore be set aside Whereupon the cause was argued by Mr M A Smith for appellant and cause ordered resubmitted

A recess was taken by the Court till 2 Oclock P.M.

Ino Ocbor 1871, Court recommenced
after recess
Present Hon A C Buckner Chief Justice
" " A J Rouse Assc "
" " J Hawkins " "
" " E L Dewhurst " "
And the Clerk(

No 467 N M Ryder
Appellant
vs
Henry Rixon
Appellee

Motion of appellant to set aside judgment of this Court was ordered submitted.

No 495 The Mutual Life Ins. Co.
Appellant
vs
Edward Arnicar Admr
of the Estate of Alexander Boyden
Deceased
Appellee

It is ordered that this cause be submitted on the briefs on file.

390

July 3rd 96

No 503 John Droufe & Chas Goodrel partners as John Droufe & Co
Appellants
vs
P. W Smith
Appellee

Upon motion of Mr W H Barnes for appellant it is ordered that this cause be submitted on briefs on file

No 511 S. N Otis
Appellant
vs
The City of Prescott
Appellee

In this cause the motion of Mr Wilson for appellee; for oral argument on motion for rehearing, it is ordered that the same be, and is hereby denied

No 508 William Hall Nathan Hall
Copartners as Hall Brothers
Appellants
vs
M D Warren & L E Warren
Appellees

Chief Justice Baker did not sit during hearing of this Cause

This cause was argued by Mr B J Franklin for Appellants and it is ordered that argument be continued till tomorrow morning Feby 4th 1896

It is ordered that Court Stand adjourned until tomorrow morning at 10 Oclock am Feby 4th 1896

A C Baker Chief Justice

Supreme Court } January Term 1896
Territory of Arizona } Morning Friday 4th 1896

Court met at 10 Oclock A M

Present

His Honor A C Baker Chief Justice
" " C S Rouse Assoc. "
" " J J Hawkins " "
" " J D Bethune " "

J Q Alexander Clerk
E E Ellenwood U. S. Atty
J M Pratt Crier
J F Briggs Bailiff
Frank McClintock

The following business was transacted.

No 526 Pinal County
Appellant
vs
J E Fraser
Appellee

On motion of Mr Barnes for appellee it is ordered that the motion to affirm be submitted in this cause

No 527 Pinal County
appellant
vs
Thos F Reeder
appellee

On motion of Mr Barnes for appellee It is ordered that the motion to affirm be submitted in this cause

No 528 Pinal County
appellant
vs
Thos F Weeden
appellee

On motion of Mr Barnes for appellee It is ordered that the motion to affirm be submitted in this cause

No 472 The United States
appellant
vs
Philip Drachman et al
appellees

It is ordered in this cause that the motion for rehearing filed herein by appellees be and the same is hereby denied.

No 471 Rochester Cardwell
appellant
vs
The Territory of Arizona
appellee

It is ordered in this cause that the motion for rehearing filed herein by appellants be and the same is hereby denied.

Feb 4th 96

No 511 T. J. Otis
Appellant
vs
The City of Prescott
Appellee

It is ordered in this Cause that the motion for rehearing filed herein by Appellant be and the same is hereby denied.

No 109 Jesus Lares
Appellant
vs
The Territory of Arizona
Respondent

It is ordered in this Cause that the motion for rehearing filed herein by appellant be and the same is hereby denied

No 455 Gila Bend Res. & Irrigation Canal
Petitioners
vs
The Dist. Court of the 3d Jud Dist of the Territory of Arizona in and for Maricopa Co. Hon A C Baker Judge et al Defendants

It is ordered in this Cause that the motion for rehearing filed herein by Petitioners be and the same is hereby denied

No 508 William Hall Nathan Hall Copartners as Hall Bros Appellants vs M D Warren & L E Warren Appellees

Chief Justice Baker did not sit during the hearing of this cause

The argument in this cause was resumed by Mr Jos Campbell for Appellees and by Mr Franklin for Appellants and cause ordered submitted

A recess was taken by the Court till 2 o'clock P.M.

2 o'clock P.M. Court re-convened after recess

Present His Hon A C Baker Chief Justice
" " O T Rouse Assoc "
" " J D Hawkins " "
" " J L Bethune " "

and the Clerk

No 113 Wm O'Neil & Paul Rouse Appellants vs The Territory of Arizona Respondent

Justice Hawkins did not sit during the hearing of this cause.

This cause came on for hearing and was argued by Mr R E Sloan for Appellants and by Mr R E Morrison for Respondent and ordered that argument be continued until tomorrow morning

It is ordered that Court stand adjourned till tomorrow morning at 10 o'clock

Feby 5th 1896 A C Baker Chief Justice
O T Rouse Assoc "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Wednesday Feb 5th 96

Court met at 10. o'clock A M

Present

His Honor A. C. Dake Chief Justice
" " O T Rouse Assoc "
" " J J Hawkins " "
" " J D Bethune " "

J K D Alexander Clerk
W N Meade U. S. Marshal
E E Ellinwood U. S. atty.
J M Pratt Crier
J F Briggs Bailiff
Frank McClintock "

The following business was transacted

No 113 Wm Shultz Paul Loser Appellants.
vs
The Territory of Arizona Respondent

In this cause the argument of Mr Morrison was resumed and argument concluded by Mr Sloan for appellants. Whereupon the cause was ordered submitted.

No 111 Geo F Meadebaek
appellant
vs
The Territory of Arizona
Respondent

This cause came on for hearing and was argued by Mr J C Herndon for appellant and argument ordered continued till 2 o'clock P M

A recess was taken by the Court until 2 o'clock P M.

2 o'clock P M. - Court re-convened after recess.

Present His Honor A C Baker Chief Justice
" " A J. Rouse Assoc "
" " E S Berkum " "

and the Clerk

No 111 Geo F Meadebaek
appellant
vs
The Territory of Arizona
Respondent

The argument in this cause was resumed by the Attorney General for Respondent and argument concluded by Mr Herndon for appellant whereupon cause was ordered submitted

Feby 5/96
No 509

New York Life Ins Co
Appellant
vs
Lena Peres Admx
Appellee

This cause came on for hearing and was argued by Mr J. F. Wilson for appellant and by Mr Norris for appellee, and it was ordered that argument be continued till tomorrow morning Feb 6th 96.

It is ordered that Court stand adjourned until tomorrow morning Feby 6th 1896

A C Barker Chief Justice

Assoc "

" "

" "

Supreme Court } January Term 1896
Territory of Arizona } Thursday Feb 6th 96

Court met at 10 o'clock A.M.

Present
His Honor A. C. Baker Chief Justice
" O. T. Rouse Assoc "
" " and "
" " J. L. Bethune " "
J. R. D. Alexander Clerk
W. V. Meade U. S. Marshal
E. E. Ellinwood U. S. Atty
J. M. Peal Crier
J. F. Wiggs Bailiff
Chas. McClintock "

The following business was transacted.

No 109 The New York Life Ins Co } Appellants
vs
Nona Peters Executrix } Appellee

On this cause the argument was resumed by Mr Norris for Appellee and concluded by Mr Wilson for Appellant. Whereupon the cause was ordered submitted.

Feby 6/96

No 510

T. F. Miller
appellant
vs
John A. Webb
appellee

This Cause came up for rehearing and was argued by Mr Morris for appellant and by Mr Wilson for appellee and Cause ordered submitted and it is further ordered that appellant be granted 10 days to file reply brief

A recess was taken by the Court until 2 o'clock P.M.

Two o'clock P.M. Court reconvened after recess. Present

Hon Thos A. C. Baker Chief Justice
" " O. W. Powers Assoc "
" " D. A. Watkins " "

and the Clerk

No 522 Hugh Beckner
appellant
vs
Walter Scott
appellee

This Cause came on for hearing on this day and was argued by Mr Herndon for appellant and by Mr Bloom for appellee and Cause ordered submitted

It is ordered that Court stand adjourned till Monday morning at 10 o'clock A.M. Feby 10th 1896

Chief Justice
Assoc "
" "

Supreme Court } January Term 1896
Territory of Arizona } Morning July 10th 1896

Court met at 10 o'clock

A. M. Present

Hon Norman C. C. Davis Chief Justice
" " C. V. Rouse Assoc "
" " J. D. Hawkins " "

J. F. Alexander Clerk
E. E. Ellinwood U. S Atty
Jno Pratt Crier
J. H. Briggs Sheriff
Frank A. McClintock "

The following cases

were this day transacted

No 114 J. C. Dunbar
Appellant
vs
The Territory of Arizona
Respondent

On motion of C. H. Y. Stanford this Cause was ordered entered on the Calendar

No 429 Susana Mark a minor etc
Appellant
vs
T. W. Parker
Appellee

This Cause came on to be heard and was argued by Webster Street for Appellant

A recess was taken by the Court until 2 Oclock P. M

Thursday 6th Feby 1896 Court resumed after recess

Present His Honour Sir Edward Chief Justice
" The Honble Sir Robert Hodges "
" " Sir Josiah Symon "

and the Clerk

Tuesday Duana Walker a minor etc Appellant
vs
Mat Mackie Respondent

Arguments were resumed in this Cause by Mr W B McCabe for Appellants and Mr McWilliams and Mr Jos. H. Ribbey for Respondents and Argument in Cause ordered Continued till tomorrow morning

It is ordered that Court stand adjourned till tomorrow morning Feby 11th 1896 at 10 o'clock AM

A C Butler Chief Justice
Assoc "

Supreme Court } January 15th 1896
Territory of Arizona } to March February 11-96

Court met at 10 o'clock A.M.

Present

Hon Norman A Baker Chief Justice
" " A J Rouse Assoc "
" " J Doan Hawkins " "
" " C A Watson " "
Hon Alexander Clerk
E E Norwood U.S. Atty
David Crier
F Briggs Bailiff
Frank McClintock "

The following proceedings

were transacted"

Territory of Arizona, Appellant } Motion of Appellant
vs } for order that the
Flora Bell Appellee } evidence of witnesses filed herein
be transmitted in this cause

Territory of Arizona, Appellant } Motion of Appellant
vs } for order that the
Flora Bell Appellee } evidence of witnesses filed herein
be transmitted in this cause

Feby 11-96

No 528 Pinal County
appellant
vs
Chas F Meeker
Clerk Dist Court
appellee

On motion of E M Wright for appellant it is ordered that the affidavit of J. M Doan filed herein be submitted in the cause

No 530 Chas Blackburn et al
appellants
vs
The United States of America
appellee

On motion of the U. S. Attorney it is ordered that the motion to affirm filed herein be submitted

No 531 In the matter of the application of
A W. Alexander Admr
Estate of Alexander Deceased for writ of
Mandamus. Petitioner
vs
The Right Hon
Respondents

On motion of W. H. Stevens for petitioner herein it is ordered that this cause be set for hearing on Friday morning Feby 14th 1896

No 532 In the matter of the Application of Jake Mains for writ of Mandamus

Petitioner

as

Louis E Hughes Jr M Ford and E P Keith constituting the Board of Control of Any one County

Respondents

On motion of Mr Kelleher for Petitioner it is ordered that this Cause be set for hearing on Friday July 14th 1916.

Hearing (Diana Mains a Minor Appellant vs Mrs Mains et al Appellee) Petition dismissed at hearing of this cause.

On this Cause the Assignment was Passed by Mr Webster Short for the appellant herein and Concluded by Mr Kibbey and Mr Dennis for Appellee whereupon the Cause was ordered submitted

406

Feby 1, 96

No 390 Adolph Cohn
Appellant
vs
A J McKenna et al
Appellees

This Cause came on for hearing and was argued by Mr Frank Wearne for appellant

A recess was taken by the Court until 2 Oclock P.M.

Two Oclock P.M. Court reconvened after recess. Present

Hon C. C. Baker Chief Justice
" " C F Rowe Assoc "
" " J R Hawkins " "
" " J D Richards " "

and the Clerk.

No 390 Adolph Cohn
Appellant
vs
A J McKenna et al
Appellees

Argument in this Cause was Resumed by Mr Reilly for appellee and ordered that Argument be continued till tomorrow morning Feby 12th 1896

It is ordered that Court stand adjourned till tomorrow morning Feby 12th 1896.

Chief Justice
Assoc "
" "
" "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Feb 12th 1896

Court met at 10 o'clock A.M.

Present

Hon Stanton A C Wake Chief Justice
" " A A Rouse Assoc "
" " E F Hawkins " "
" " E S Doan " "
R D Alexander Clerk
E. E. Ellinwood Deputy "
Jno Hart Crier
J E Wiggs Bailiff
Frank McCloskey "

The following trustees were sworn

No 491 Rockafellow Federal
Appellant
vs
The Territory of Arizona
Appellee

Motion of Appellant's Atty for order that the motion of Appellant for leave to file judgment herein be admitted

No 370 Rudolph Wilson
Appellant
vs
C. C. Brickenridge et al
Appellees

Judgment in this Cause was rendered by Hon Jno Hart hearing for Appellee and Judgment ordered Continued in the Cause till tomorrow Morning.

Feby 12th

No 502

Pima County
Appellant
vs
Manly C. Snyder et al
Appellees

This cause came on for hearing and was argued by M Bill Lovell for appellant and by Chas M. Wright and W H Barnes for appellees and cause ordered submitted

A recess was taken by the Court till 2 o'clock P.M.

Supreme Court:
Territory of Arizona

Court reconvened after recess Present

His Hon A. C. Baker Chief Justice
" O. F. Rose Assoc "
" J. H. Hawkins " "

and the Clerk

On motion of C. F. Ainsworth accompanied by the Certificate of the Supreme Court of the State of Indiana admitting Arthur J. Edwards to practice therein. It is ordered that said Arthur J. Edwards be admitted to practice in this Court, upon his taking the usual oath and signing the roll of attorneys in this Court.

No 505

The Consolidated National Bank of Tucson et al
appellant
vs
The County of Pima et al
appellees

This cause came on for hearing and was argued by Mr C M Wright for appellant and Mr. W. Carel and Mr K Warner for appellees, and cause ordered submitted.

It is ordered that Court stand adjourned until tomorrow morning Friday 13th at 10 o'clock A. M.

A C Baker Chief Justice
Assc "
" "
" "

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Feb 13th 1896

Court met at 10 o'clock

A.M. Present

Hon Mosa A. C. Baker Chief Justice
" C. J. Rouse Assoc "
" E. J. Hawkins " "
J R W Alexander Clerk
E E Ellinwood Ct. Reporter
E. M. Peaty Crier
E F Briggs Bailiff
Leander McClintock "

The following business

was transacted

No 507 Michael J Sullivan
Appellant
vs
Wm P Hood et al.
Appellees

On motion of Mr C. H Wright for appellant & Mr W W Baines for appellee consenting It is ordered that this cause be submitted on brief & file

No 506 C A Stevens et al
Appellants
vs
Abbie E Rawlings
Appellee

This cause was argued by C. H Wright for appellants and by G. H Kimball for appellee, and Cause ordered submitted

No 112 Laurence Lemon
Appellant
vs
The Territory of Arizona
Respondent

On motion of Mr McFarland for appellant. It is ordered that this cause be set for hearing tomorrow Friday 14th 96 at 2 o'clock P. M.

No 114 John C Dunbar
Appellant
vs
The Territory of Arizona
Respondent

On motion of Mr McFarland for appellant. It is ordered that this cause be set for hearing tomorrow afternoon Friday 14th 1896.

No 406 C O'Keliher
Appellant
vs
Colin Cameron
Appellee

On motion of Mr Flannery for appellant. It is ordered that appellant be permitted to withdraw these transcripts in this cause on file with this Court

A recess was taken by the Court until 2 o'clock P.M.

Feby 13/96

Ten Oclock P.M. Court reconvened after recess Present

His Hon A. C Baker Chief Justice
" " C J Rouse Assoc "
" " J A Hawkins " "
" " J S Benham " "

and the Clerk.

No 517 E. C Stratton and J R Choa Appellants vs J P Wells Appellee

On motion of C M Wright for appellant it is ordered that this cause be submitted on briefs on file

No 390 Aaron Cohen Appellant vs A J Mahaffey Appellee

The argument in this cause was resumed by Mr Jim Herring for appellees and concluded by Mr T M A Smith for appellant whereupon it was ordered that appellees have five days to file brief herein and appellant have five days thereafter to reply and cause be then submitted on their briefs

No 487 The Republican Publishing Co
Appellant
vs
Wm A Gile
Appellee
} Chief Justice Baker did not sit during the hearing of this cause

This cause came on for hearing and was argued by Clark Churchill for appellant and by D. N. Franklin for appellee and cause ordered submitted

No 491 Rochester Cardenal
Appellants
vs
The Territory of Arizona
Appellee
} In this cause it is ordered that the motion of appellants herein to reform the judgment of the lower Court in this cause be granted, And it is hereby further ordered that the judgment of the Lower Court herein be, and the same is hereby modified so that the same shall not cover any interest on the principal sum found due, All interest in said judgment being hereby remitted

It is ordered that Court stand adjourned till tomorrow morning at 10 o'clock A.M.

Feby 14th 1896

A C Baker Chief Justice

Supreme Court } January Term, 1896
County of Cochise } Monday Feby 14th, 1896

Court met at 10 o'clock A M

Present

Hon Hoyt A. C. Baker Chief Justice
" " C. F. Rowe Assoc. "
" " E. D. Hawkins " "
" " E. W. Bethune " "
J. B. Alexander Clerk
E. E. Ellinwood U. S. Atty
J. M. Pratt Crier
J. F. Briggs Bailiff
Frank McClintock "

The following business was transacted -

Upon the request of the Bar Association It is ordered that the following resolutions be spread upon the minutes of this Court.

To the Bar Association of Arizona

We your Committee appointed to draft resolutions on the death of Henry M Alexander report the following

That since the last annual meeting of the Bar Association of Arizona the Honorable Henry M Alexander, a worthy member of the association and an earnest and conscientious lawyer of long standing as a practicing attorney at the Bar of Arizona, has been taken from the active practice of the learned profession which he loved so well and in which he was so well trained and has been removed from our social midst by the summons and ordinary process of death. In obeying such compulsory writ he is but another companion of our boyhood. Therefore

Resolved by the Bar Association of Arizona that in death is to us a great and

patience and care was to use an example by which to profit, and we regret that he is no more to aid us by earnest labors to uphold the reputation and uphold the character of our great profession

Resolved that these resolutions of respect be spread upon the minutes of this association as a memorial of our esteem for him while alive and that we may cherish his memory now dead

Webster Street
E. A. Wilson
J. A. Smith

Committee.

I certify that the above resolution was this day adopted by the Bar Association Feby 4th 1896

J. H. Granahan
Secretary

To the Bar Association of Arizona.

We your committee appointed to draft resolutions on the death of H. E. Stewart report the following

Whereas the Bar Association and the whole Country of Arizona has experienced a great loss within the last year by the death of the Honorable H. E. Stewart who while alive ever was alert and earnest in the interest of his clients and in the prosperity and welfare of the Country. In his employment and assumed duties he was fearless fearless and confiding in his efforts to obtain success for the cause he espoused and remained until the last a devoted partisan for his client and for his friends

Although in feeble health for months prior his demise the fire of his zeal kindled the light of his eye until the

Feb 4 96

Resolved by the Bar Association of Arizona that in the death of the Honorable W. G. Stewart the people of Arizona have lost one of its most earnest and devoted citizens, and the profession to which he belonged a bright and courteous example of fidelity to clients

Resolved that these Resolutions of Respect be spread upon the minutes of the Bar Association of Arizona to commemorate our esteem of his great merit

Robert Hunt
E. H. Nelson
Ma Ormsby
Committee

I hereby certify that the above Resolution was this day adopted by the Bar Association Feb 14th 1896

F. McKeehan
Secretary

Nov 16 Pinal County
Appellant
vs
J. J. Fraser
Appellee

Mr Doan attorney for appellant in this cause announced that he had received the Transcript and had filed the same with the Clerk, in this cause

No 478 Jesus Miranda Admr
Appellant
vs
Chas Goldman etal
Appellees

In this Cause the motion for Rehearing filed by Appellants herein has taken up and argued by Mr Dameron for Appellants and by Jos Campbell for Appellees and Cause ordered Submitted

No 514 Nathaniel Harp
Appellant
vs
Jno D Ellenger etal
Appellees

This Cause came on for hearing and was argued by Mr Wicks for Appellant and by Walter Bennett for Appellees and Cause ordered Submitted

No 521 C. W. Wells
Appellant
vs
Robt Faulkner etal
Appellees

This Cause came on for hearing and was argued by Mr Dameron for Appellant and by Walter Bennett for Appellees and Cause ordered Submitted

Recess was taken by the Court to 2 Oclock PM

Ten Oclock A.M. Court reconvened after recess

Present His Hon A. C. Baker Chief Justice
" " A. J. Rouse Assoc "
" " J. D. Hawkins " "
" " J. R. Bethune " "

And the Clerk

The following order was ordered entered upon the minutes of this Court.

Supreme Court } vs January Term 1896
Territory of Arizona }

It is hereby ordered that the order of this Court heretofore made to wit on the 6th day of March A.D. 1891 redistricting the Territory of Arizona into Judicial Districts assigning the Chief Justice and associate Justices of the Supreme Court of Arizona Territory thereto and fixing the terms of Court therein be and the same is hereby amended and modified so that the terms of Court holden for United States business in the Second Judicial District of the Territory of Arizona comprising the Counties of Pinal Gila and Graham and as designated in said order of March 6th 1891, shall be held in the said County of Graham in said District at Solomonville on the Second Mondays in April and October of each year and it is further ordered that so much of said order of March 6th 1891 fixing the place for holding the term of said Court for United States business at Florence in the County of Pinal in said Second Judicial District be and the same is hereby rescinded

A. C. Baker Chief Justice
J. D. Hawkins Associate "
J. R. Bethune " "

Done at Prescott in open Court on the 14th day of February 1896.

No 483 The Last Chance Valley Gold Mining Company and Lizzie E. Mack as executrix of the estate of J. C. Mack Deceased Appellants

vs

James B. Norton, H B Griffith Eugene Brashear and P McCaul Appellees

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the findings of the Lower Court herein be and the same is hereby affirmed with costs and it is further ordered adjudged and decreed that the appellees herein do have and recover of and from the appellants herein and Henry E Kemp and Yuma County the sureties on the appeal bond herein the following amounts due appellees herein severally to wit- James B. Norton $1158.00 W B Brashear, $375.85 Eugen Brashear, 176.95 H B Griffith $246.88 with interest on each of said sums at the rate of 7% per annum from Jany 25th 1894 until paid, And the costs of this court herein amounting to $137.95 and the costs of this Court taxed at $25.00

No 502 Pima County Appellants vs Mark C. Dingledine Appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the

Feb 4/96

being duly advised in the premises, It is ordered that the Judgment of the Court herein be and the same is hereby reversed with Costs. and the Court is hereby directed to overrule the defendants demurrer, therein. and it is further ordered adjudged and decreed that appellant herein do have and recover of and from the appellees herein its costs expended in the lower Court in this cause and its costs in this Court taxed at Fifty and 10/100 Dollars. and have execution therefor.

No 337 Frederick M Smith et al appellants vs The United States of America appellee

It is ordered that an appeal to the Supreme Court of the United States in this cause be allowed and that the bond be fixed at $12,500.00 and that the Chief Justice approve the said bond.

Supersedeas

No 114 John C Venderen appellant vs The Territory of Oregon Respondent

This cause came on to be heard and was argued by W H Barnes and M A Smith for appellant and by Attorney General for Respondent and ordered that respondent have 5 days to file brief herein and then cause be dismissed on such brief

No 112 Lawrence Lamon
Appellant
vs
The Secretary of Arizona
Appellee

This cause came on for hearing and was argued by Mr H H Barnes for Appellant and by Mr H M Lowe for Respondent and cause was ordered submitted and that appellant have 10 days & file brief herein and Respondent 10 days thereafter & reply thereto

No 731 In the matter of the Application of
L W Alexander Admr of the Estate of H Alexander Deceased for writ of Mandamus
Petitioners
vs
Louis C Hughes Et al
Respondents

This cause came on for hearing and was argued by Mr H Stevens for Petitioners and by Mr Richardson for Respondent and it was ordered that the Respondent have 20 days & file brief herein and Petitioners have 20 days thereafter & answer and cause be then submitted on such briefs

Feb 4 96
No 532

In the matter of the Application of Jake Marks for writ of Mandamus

Petitioner

vs

Louis C Hughes, Mat McLeod and C O Fitch constituting the Board of Control of Arizona Penitentiary

Respondents

This cause came on for hearing and was argued by Mr W H Stilwell for Petitioner and by Mr L H Chalmers for Respondent and it was ordered that Respondent have 20 days to file brief herein and that Petitioner have 20 days thereafter to file answer thereto and cause be then resubmitted on such briefs

In the matter of the Allowance of the Clerk of this Court for and pro diem the following orders were made

Whereas J K B Alexander Clerk of the Supreme Court of the Territory of Arizona has presented to the Court an account for services rendered by him as such Clerk and has sworn on oath, to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated for the quarter ending March 31st 1895, and Whereas said account appears to be just and according to law it is ordered that the said account amounting to Three and 90/100 dollars be and same is hereby approved.

Arizona Territory this 14th day of February
A D 1896

A C Baker Chief Justice
Jno J Hawkins Assoc "
Owen T Rouse " "
J W Bethune " "

Whereas J L B Alexander Clerk of the Supreme Court of the Territory of Arizona has presented to this Court an account for services rendered by him as such Clerk and has proved on oath to the satisfaction of the Court that the items therein charged have been actually and necessarily rendered and performed as stated therein for the quarter ending June 30th 1895 and whereas said account appears to be just and according to law. It is ordered that the said account amounting to Two and 50/100 dollars, be and the same is hereby approved

Done at Phoenix the Capital of Arizona Territory this 14th day of February A D 1896

A C Baker Chief Justice
Owen T Rouse Assoc "
Jno J Hawkins " "
J W Bethune " "

Whereas J L B Alexander Clerk of the Supreme Court of the Territory of Arizona, has presented to the Court an account of services rendered by him as such Clerk and has proved on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated for the quarter ending September 30th 1895 and whereas said account appears to be just and according to

Filed 4/96

Amounting to fifteen and 10/100 dollars be and the same is hereby approved

Done at Phoenix the Capital of Arizona Territory this 14th day of February A D 1896

A C Baker Chief Justice
Jno J Hawkins Assoc "
Owen T Rouse " "
J W Bethune " "

Whereas E L Wadsworth Clerk of the Supreme Court of the Territory of Arizona has presented to this Court an account for services rendered by him for attendance on the sessions of the Supreme Court of Arizona as such clerk and has proved on oath to the Satisfaction of the Court that the services therein charged for have actually and necessarily been rendered and performed as stated therein, and it also appearing from the records of this Court that on the days hereinafter mentioned to wit: January 13th 14th 15th 16th 17th 18th 20th 21st 22nd 23d and 24th February 3rd 4th 5th 6th 10th 11th 12th 13th 14th in the year 1896 and for which services are charged in said account the Court was open for business and that business was actually transacted and whereon said account appears to be just and according to law. It is ordered that the said account amounting to the sum of Two hundred and twelve dollars be and the same is hereby approved

Done at Phoenix the Capital of Arizona Territory this 14 day of February A D 1896

A C Baker Chief Justice
Jno J Hawkins Assoc "
Owen T Rouse " "
J W Bethune " "

It is ordered that Court stand at Recess until Monday at 10 am May 4th 1896

A C Baker Chief Justice

Asso 4

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4 4

Supreme Court } January Term 1896
Territory of Arizona } Phoenix Monday May 4th 1896

The Court met Pursuant to recess at 10 o.clock A.M on this day

Present

His Honor A. C. Baker Chief Justice
" " C.A. Rouse Assoc "
" " D. D. Hawkins " "
" " J. D. Bethune " "
J R D Alexander Clerk
E E Ellenwood U. S. Atty
W K Meade U S. Marshall
Jos M. Pratt Crier
J F Briggs Bailiff
Frank M Clanton "

The following business was transacted

No 114 John O Dunbar
Appellant
vs
The Territory of Arizona
Appellee

This Cause having been heretofore submitted, and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby Reversed

No 487 C R Republican Publishing Co.
Appellants
vs
William H Gill
Appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with costs, And it is further ordered adjudged and decreed, that the Appellee herein do have and recover of and from the Appellants herein and John A Black and Clark Churchill sureties on the Appeal bond herein the sum of Four hundred and thirty Fro 00/100 Dollar with interest thereon at the rate of 7% per Cent per Annum from May 6th 1895 until paid, his costs in the Court below amounting to Twenty 20/100 Dollar and his Costs in this Court taxed at Twenty five 00/100 Dollars. And it is further ordered that Remittitur herein issue forthwith

No 504 George W Tibbs
Appellant
vs
The Mayor Common Council
of the City of Tombstone
Territory of Arizona

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises

May 4th 96

It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with costs. And it is further ordered, adjudged and decreed that the Appellee herein do have and recover of and from the Appellant herein and B. Hatrick and A. Overlock the Sureties on the appeal bond herein the sum of fifty three and 63/100 dollars together with the cost of the lower Court in the sum of twenty nine and 75/100 dollars and appellees cost in this Court taxed at $25.00

No V 14

Nathaniel Sharp
Appellant
vs
W L George, J D Priest and W Atkinson
as Members of the Board of Supervisors
and D A Cox Clerk of the Board
of Supervisors and S R Murray
Treasurer of the County of Maricopa
Arizona Territory
Appellees

This Cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and Josiah Harbert

from its costs expended in the Lower Court in this Cause together with the cost of this Court taxed at $31.00

No 112 Lawrence J. N. Lemon
Appellant
vs
The Territory of Arizona
Respondent

This Cause having been submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premise, It is ordered that the Judgment of the Lower Court herein be and the same is hereby affirmed,

No 525 W. Otwick
appellant
vs
W. A. Thomas
appellee

It is ordered in this Cause that the Motion for rehearing filed herein by appellant be and the same is hereby denied

May 4/9c

No 499 George W Bryan
appellant
vs
Cochise County
appellee

It is ordered in this Cause that the Motion for Rehearing filed herein by appellant be and the same is hereby denied.

No 482 T D McGlasson Ta & Chandler
appellants
vs
D. A. Pearce
appellee

It is ordered in this Cause that the motion for rehearing filed herein by appellants, be and the same is hereby denied

No 483 The Last Chance Valley Gold Mining Co. and Lizzie A. Trask as Executrix of the Estate of T J Trask Deceased
appellants
vs
James F. Norton H B Griffith Eugene Brashear and O McCabe
appellees

It is ordered in this Cause that the motion for rehearing filed herein by appellants be and the same is hereby denied

No 467 H. W Ryder
Appellant
vs
Henry Rixon
Appellee

It is ordered in this Cause that the motion to set aside judgment filed herein by Appellant be and the same is hereby denied

No 478 Jesus Miranda Administrata and Jacinto Cordova Administrata of the Estate of Guadalupe Cordova alias Guadalupe Cordova Miranda Deceased et. al.
Appellants
vs
Charles Goldman and Leo Goldman Copartners under the firm name of Goldman & Company
Appellees

It is ordered in this Cause that the motion for Rehearing filed herein by Appellants be and the same is hereby denied

No 1061 George H Fitts
Appellant
vs
The Mayor Common Council of the City of Tombstone Arizona Territory
Appellees

It is ordered in this Cause that the motion to dismiss filed herein by

May 4th
No 450

The Northwestern National Bank et al
Appellants
vs
B. M. Freeman. F. L. Kimball
and J. M. Hoskins Jr a Copartnership
doing business under the firm name
of the Arizona Central Bank / John Toris
Appellees

In this cause it is ordered that the motion for Rehearing filed herein by Appellants, be and the same is hereby denied

No 510

F. F. Nichols for
Appellants
vs
John A Webb
Appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with cost. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and Joseph L. Giroux and William E. Hazeltine the sureties on the appeal bond herein the sum of Five thousand and six hundred and ~~fifty~~ five Hundred Dollars. with interest thereon at the rate of Seven per cent per annum from November 27th 1894 until paid and the sum of Nine hundred and thirty eight and 75/100 Dollars. appellees costs in the Lower Court in this cause. Together with the costs of this Court taxed at the sum of Nineteen Dollars - and that Execution issue

No 449 G. W. Seavers and Quincy A Shaw
Appellants
vs
Michael Welch.
Appellee

In this cause it is ordered that the Motion of Appellee to Retax Costs be Submitted.

No 450 The Northwestern National Bank et al
Appellants
vs
B. M. Freeman. F. K. Kimball and J. H. Hosking a copartnership doing business under the firm name of the Arizona Central Bank and John Torres
Appellees

In this Cause Notice of Appeal to the United States Supreme Court was given in open Court by Messrs Ellingwood and Norris Attorneys for Appellants

May 4/96
No 494

A. Bauer and Maria Bauer and George A Metcalf
Appellants
vs
Egid Wagner John Stumpf and Joseph Stumpf
Appellees

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court be and the same is hereby Affirmed with cost, And it is further ordered adjudged and decreed that the Appellees herein do have and recover of and from the Appellants herein their cost expended in the lower Court herein and their cost in this Court taxed at $11.00

No 521

P. V. Curtis
Appellant
vs
Robt Faulkner, C E Hinton and C S Gray Assignee
Appellees

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment

Affirmed with Costs, And it is further ordered adjudged and decreed that the Appellees herein do have and Recover of and from the Appellant herein and George B. Perkins and Tom Christy the Sureties on the appeal bond herein the Sum of Sixteen and 60/100 Dollars appellees costs in the lower Court in this Cause and their Costs in this Court taxed twenty nine dollars and have execution therefor.

It is ordered that Court Stand adjourned until tomorrow morning May 1st 1896 at 10 oclock A M

A C Baker Chief Justice

Assoc "

" "

Supreme Court } January Term 1896
Territory of Arizona } Monday Tuesday 7 May 5th 1896

Court met at 10 o'clock A. M.

Present

His Honor A. C. Baker Chief Justice
" " O. A. Rouse Assoc "
" " Jno J Hawkins " "

J K B Alexander Clerk
W K Meade U. S. Marshal
E E Ellinwood U S. atty
J M Pratt Crier
J F Briggs Bailiff
Frank M Clinton "

The following business was transacted,

No 429 | In Estat of Jno Walker Deced. In re application of Juana Walker a Minor by Rosetta Jones her Guardian for Distribution. Appellant vs Wm H Walker et al Appellees | Decision announced by Justice Hawkins, Chief Justice Baker dissenting

This cause having been herefore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed, that the appellee herein do have and recover of and from the appellants herein their costs in this Court taxed Twenty four Dollars.

No 512 Juan O Charbouleux
Appellant
vs
Pedro Charbouleux
Appellee

Decision announced by Justice Hawkins
Chief Justice Baker dissenting

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the Lower Court herein be and the same is hereby Reversed and remanded for Newtrial with costs, and it is further ordered and adjudged and decreed, that the Appellant herein do have and recover of and from the appellee herein his costs incurred in this Cause in this Court, taxed at the sum of Thirty nine dollars

No 507 Michael J Sullivan
Appellant
vs
Wm O Woods and Ruben M Aldrich
Appellees

Decision announced by Justice Hawkins
Chief Justice Baker dissenting

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the Lower Court herein be and the same is hereby Affirmed with costs. And it is further ordered adjudged and decreed that the Appellee herein do have and recover of and from the Appellants herein and J. Mac Corbett and M. G. Damaniego the sureties

May 4th 96

appellees costs in the Court below in this cause together with all damages that said appellees may have sustained by reason of the detention by appellant of the premises in controversy in this cause, not exceeding however the sum of three hundred dollars, and appellees costs incurred in this court. taxed at Ten dollars, and a final execution therefor

No 506 C A Stevens, A B Groseta and N. J. Read Appellants vs Abbie E Radleigh Appellant } Opinion announced by Justice Hawkins

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the Lower Court herein be and the same is hereby Affirmed with costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellants herein and L. G. Radulovich and Royal A. Johnson the sureties on the appeal bond herein the sum of six hundred and fifty dollars with interest thereon at the rate seven per cent per annum from March 1st 1894 until paid together with appellees costs in the Court below in the sum of Eighteen and 40/100 dollars and for costs in this Court taxed at $28.50 and hereof execution therefor.

No 503 John Choupe and Chas Crowell Partners as John Choupe & Co. Appellants vs O. N. Smith Appellee } This cause having

taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the Lower Court herein be and the same is hereby Reversed And remanded for new trial with costs, And it is further ordered adjudged and decreed that the Appellant herein do have and recover of and from the Appellee herein their costs expended in the Lower Court in this Cause together with their costs in this Court taxed at Eighty three and 80/100 Dollars -

No 532 In the Matter of the Application of Jake Marks for Writ of Mandamus
Petitioner
vs
Louis C Hughes D M McFarland and C P Leitch, Constituting a Board of Control of Arizona Territory
Respondents

It is ordered that the name of W. J Franklin be and the same is hereby substituted for Louis C Hughes as a Respondent in this Cause

May 4-96

No 531 In the Matter of the Application of J K B Alexander as administrator of the Estate of Henry N Alexander Deceased for Writ of Mandamus
Petitioner
vs
Louis C Hughes
Governor of Arizona
Respondent

On motion of W. H. Holmes for Petitioner. It is ordered that the name of B. J. Franklin be and the same is hereby substituted for Louis C. Hughes as Respondent in this cause

No 519 United States of America
Appellant
vs
William C Davis, Coltsworth P Head, and Joseph R Walker
Appellees

On motion of the U. S. Attorney, It is ordered that the hearing of this cause be made

The following order was ordered entered upon the minutes of the Court,

In the Supreme Court } January Term 1896
Territory of Arizona }

an adjourned term of this Court be held at the City of Prescott in the Territory of Arizona beginning on the 22nd day of June AD 1896

This order is made in pursuance of Section 1934 of the Revised Statutes of the United States

It is further ordered and directed that this order be entered in the Minutes of this Court of this day

A C Baker Chief Justice
Owen V Rouse Associate "
Jno J Hawkins " "
J D Bethune " "

Done at Phoenix Arizona
on this 5th day of May AD 1896
at the regular January Term of
said Supreme Court

The following order was ordered entered on the Minutes of this Court.

In the Supreme Court } January Term 1896
Territory of Arizona }

It is hereby ordered that an adjourned term of this Court be held at the City of Phoenix in the Territory of Arizona beginning on the first day of October AD 1896. This order is made in pursuance of Section 1934 of the Revised Statutes of the United States. It is further ordered and directed that this order be entered in the Minutes of this Court of this day.

Done at Phoenix Arizona
on this 5th day of May AD 1896
at the regular January Term 1896
of said Supreme Court

J D Bethune Associate Justice
Owen V Rouse " "
Jno J Hawkins " "
A C Baker Chief "

A Recess was taken by the Court till 2 o'clock P. M.

Supreme Court } January Term
Territory of Arizona } Phoenix Arizona May 4th 1896

Two Oclock P.M. Court re-convened after recess.

Present Hon Stem A. C. Baker Chief Justice
" " O F Rouse Assoc "
" " J J Hawkins " "

J R B Alexander Clerk.

No 526 Pinal County
appellant
vs
J J Fraser
appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with cst and It is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and W C Stevens and Peter R Brady the sureties on the appeal bond herein the sum of $265.00 and his costs expended in the lower Court in this cause together with his costs in this Court taxed at $30.00

No 527 Pinal County
appellant
vs
Thos F Meeder, Clerk
of the District Court
appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered that the Judgment of the Lower Court herein be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the appellant herein and W C Stevens and Peter R Brady the sureties on the appeal bond herein the sum of $218.80 and his costs expended in the Lower Court herein together with his costs in this Court taxed at $21.00

No 528 Pinal County
appellant
vs
Thos F Meeder Clerk of
the District Court
appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the Judgment of the Lower Court herein be and the same is hereby Affirmed, And it is further ordered adjudged and decreed that the appellee herein do have and recover of and from the Appellant herein and W C Stevens and Peter R Brady the sureties on the appeal bond herein the sum of $475.00 with interest thereon from the 2nd day of Dec 1895 until paid and his cost in the Court below taxed at $6.80 and the cost of the Court had

May 5/96
No 437

R. F. Root
Appellant
vs
Haley Fay
appellee

In this Cause it is ordered that th Judgment of this Court ~~Entered~~ heretofore herein to wit on Jan 18th 1896, be modified so that said cause be Remanded for a New trial

No 445

G. W Deavens and Quincy A Shaw
Appellant
vs
Michael Welch
Appellee

In this Cause it is ordered that th Judgment of this Court entered heretofore herein, to wit- on Jany 18th 1896 be modified so that said cause be Remanded for a New trial

No 519

United States of America
Appellant
vs
William C. Dawes, Cotswood Read and Joseph R Walker
Appellees

No petition

It is ordered that this cause be submitted

No 532 In the Matter of the Application of Jack Marks for Writ of Mandamus
Petitioner
vs
Louis C Hughes. M A McCord and C P Reitch, constituting the Board of Control of Arizona Penitentiary
Respondents

Upon motion of Mr Stillwell for Petitioner, It is ordered that this cause be and the same is hereby dismissed.

No 533 G W Scarcerans as Quincy & Shaw
appellants
vs
Michael Welch
Appellee

In this cause a stay of execution for costs is ordered pending the decision of this Court on Appellee motion to stay and reduce costs

It is hereby ordered that all Cases pending in this Court undisposed of, be continued till next term of Court.

It is ordered that Court Stand adjourned sine die
A C Baker Chief Justice

Supreme Court. } June Term 1896.
Territory of Arizona } Prescott, Arizona. Monday June 22nd 1896.

The Court Opened at 2 O'clock P.M. on this day.

Present:

His Honor. A.C. Baker Chief Justice
" " J.J. Hawkins Associate Justice
" " J.D. Bethune " "

J.F. Alexander, Clerk.
C.C. Ellinwood U.S. Attorney
J.P. Dillon Crier
Rev. Meador and J.F. Minds Bailiffs.

The following business was transacted.

No. 108

Frans. Oscar. Jorrey
Appellant
vs
The Territory of Arizona
Respondent.

Decision announced by the Chief Justice.

This Cause having been heretofore argued by respective Counsel for Appellant and Respondent and submitted and the Court having taken the Same under Consideration and the Court having fully Considered the Same and being fully advised in the premises, It is ordered that the judgment of the Lower Court in this Cause be and the Same is hereby affirmed.

No. 325

J.J. Bryan
Appellant
vs
George J. Brazius, Henry W. Ryder
John W. Jeffries, James McCarthy
George E. Loring and John Bacon
Appellees

In this Cause it appearing that a mandate of the Supreme Court of the United States affirming

June 22 1896 filed in the Office of the Clerk of this Court. Therefore it is hereby Ordered that a remittitur issue forthwith in this cause to the Court below.

No. 327

J. J. Bryan
Appellant
vs
W. W. Kates
Appellee.

In this Cause it appearing that a Mandate of the Supreme Court of the United States affirming the Judgment of this Court in this Cause and appealed from has been filed in the Office of the Clerk of this Court. Therefore it is hereby Ordered that a remittitur issue forthwith in this Cause to the Court below.

It is hereby ordered that this Court stand adjourned until tomorrow Tuesday June 23. 1896 at 9 Oclock A.M.

A C Chief Justice
Associate "
" "

Supreme Court, Territory of Arizona } June Term 1896.
Present Arizona, Tuesday June 23rd 1896

The Court opened at 9 O'clock A.M. on this day.
Present:

His Honor A.C. Baker Chief Justice.
" " J.J. Hawkins Associate "
" " J.D. Bethune " "
J.F.B Alexander Clerk
E.E. Ellinwood U.S. attorney
J.P. Dillon Bries
Robt. Meador and J.F. Nunas. Bailiffs

The following business was transacted.

On Motion of Mr J.F. Wilson Jr is ordered that Mr Joseph E. Morrison who holds a license from the District Court of Yavapai County Arizona to practice therein be admitted to practice in this Court upon his signing the roll of attorneys and taking the usual oath.

The following Order was made. Concerning the allowance of the Clerk's per diem and Mileage.

Whereas J.F.B Alexander Clerk of the Supreme Court of the Territory of Arizona has presented to the Court an account for services rendered by him for attendance on the Sessions of the Supreme Court as such Clerk that the services therein charged for have been actually and necessarily rendered and performed as therein stated and it also appearing from the records of this Court that on the days hereinafter mentioned to-wit: May 4th and 5th and June 22nd and 23rd in the year 1896 and for which services are charged for in said account the Court was opened for Business and business was actually transacted And whereas said account appears to be just and according to law, It is hereby Ordered that the said account amount=

June 23 1896 for said sum of $56.40
Done in open Court, at Prescott in the Territory of Arizona this 23rd day of June A.D. 1896

A.C. Baker Chief Justice
Jno. J. Hawkins Associate Justice
J.P. Ekstrom Associate Justice.

It is ordered that the Court stand adjourned without day.

A C Baker Chief Justice
Associate Justice
Associate Justice.

Supreme Court } October Term 1896.
Territory of Arizona } Phoenix Thursday, October 1st 1896.

The Court opened on this day there being present. His

His. Honor. A.O. Baker. Chief Justice
" " O.D. Rouse Associate "
J.F.B. Alexander. Clerk
J.T. Meador. Crier, who was previously appointed.

No quorum being present. It was ordered that the Court stand at recess until 2 oclock this afternoon.

2 Oclock P.M.

The Court reconvened after recess.

Present. His Honor Chief Justice Baker
" " " Associate " Rouse
" " " " Bethune.

and the clerk.

The following business was transacted. viz:

It is ordered that the Marshal have two bailiffs in attendance on this Court during its Sessions.

Mr. Joe J. Otero and Mr Frank O. McClintock were designated as bailiffs for this session of the Court.

No. 113. Wm Schultz and Paul Foster
Appellants
vs
The Territory of Arizona
Respondent.

Decision announced by the Chief Justice

This cause having been heretofore argued by respective Counsel for appellants and Respondent, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises. It is ordered, adjudged and decreed that the judgment of the lower Court in this cause be and the same is hereby reversed, and a new trial ordered in the Court below. in this Cause.

Oct. 1st 1896.

No. 509

The New York Life Insurance Company.
Appellant
vs
Lena Perrey Administratrix of the
Estate Jno. Perrey deceased

Decision Announced by Chief Justice Baker.

This cause having been heretofore argued by respective Counsel for appellant and appellee. Herein, Submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that the judgment rendered by the lower Court in this Cause be and the same is hereby reversed and (Cause) remanded for new trial and it is further ordered adjudged and decreed that the appellant herein do have and recover of and from the appellee herein its costs incurred in the Court below in this Cause together with the costs of this Court taxed at $39.00

It is ordered that this Court stand adjourned until tomorrow Morning Friday. October 2nd 1896 at 10 Oclock a.m.

A C Baker Chief Justice
" Associate "
" "

Supreme Court } October Term 1896
Territory of Arizona } Phoenix Friday October 2nd 1896.

The Court opened at 10 o'clock A.M.

Present.

His Honor A.O. Baker. Chief Justice
" " O.F. Rouse Associate "
" " J.P. Bethune " "

J.S. Alexander Clerk
Wm. Meador Sheriff
Jose Y. Otero Bailiff
Frank O. McClintock Bailiff

The following business was transacted.

No. 111

Thos. Mudgett
Appellant
vs
Territory of Arizona
Respondent

Decision announced by the Chief Justice.

This Cause having been heretofore argued by Counsel for appellant and Respondent respectively, submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is Ordered adjudged and decreed that the judgment of the lower Court in this Cause. be and the same is hereby reversed and Cause remanded for new Trial.

No. 510

J.J. Miller
Appellant
vs
John A. Wark.
Appellee

In this Cause it is Hereby Ordered That the motion for rehearing heretofore filed herein by appellant

Oct 2. 1896
No. 390.

Adolph Lochen
Appellant
-vs-
A. J. Mehan et al.
Appellees.

Decision announced by Justice Bethune
Justice Rouse dissents.

In this Cause the motion of appellees herein to set aside the order and judgment of this Court made and entered herein on the 31st day of July 1895 reversing the judgment of the lower Court in this Cause having been argued by Counsel for appellant and appellees respectively and duly submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that said Motion be and the same is hereby sustained and the order granting appellants Motion for a rehearing pending said judgment of July 31st 1895 and the said judgment of July 31st 1895 in this Cause be and the same is hereby set aside and annulled and the said Motion for a rehearing is denied, and the judgment of this Court of July 10th 1895 is hereby reinstated and confirmed in this Cause.

It is ordered that this Court stand adjourned

A C Bach Chief Justice
" Associate "
" "

Supreme Court } January Term 1897
Territory of Arizona } Phoenix Monday Jan 11/1897

Court met at 10 o'clock AM

Present

His Honor A. C. Baker Chief Justice
" " O. N. Rouse Associate "
" " J. E. Hawkins " "
" " J. D. Perkins " "
H. D. Alexander Clerk
W. K. Meade U. S. Marshal
E. E. Ellenwood Attorney
Ed. W. Pratt Court
Nathan Mahoney Bailiff
Frank M. Clintock "

The following business was transacted

On motion of Mr Jo Campbell, it was ordered that Mr Chas N Brown who filed a certificate from the Supreme Court of Utah be admitted to practice in this Court upon signing the roll of Attorneys and taking the usual oath

On motion of Mr R. F Chalmers it was ordered that Mr Eugene S. Ives who files a certificate from the Court of Appeals of the State of New York be admitted to practice in this Court upon signing the roll of Attorneys and taking the usual oath.

A recess was taken by the Court till two o'clock P. M.

Two Oclock P.M. Court reconvened after recess. The Chief Justice and each of the Associate Justices and the Clerk present.

The following business was transacted

No 536 Arizona Northern Mining Co
Plaintiff in Error
vs
Ed Clair
Defendant in Error

It is ordered that this cause be set for hearing on Friday January 15th 1897

No 538 O J Cole
Appellant
vs
Territory of Arizona at the relation of the Attorney General
Appellee

It is ordered that this cause be set for hearing Monday May 18th 1897

No 537 Chas Smith
Appellant
vs
J M Jefferson
Appellee

It is ordered that this cause be set for hearing tomorrow morning January 12th 1897

Jan 11-1897

No 539 Henrietta Mining & Milling Co
Plaintiff in Error
vs
James I Gardner
Defendant in Error

It is ordered that this cause be set for hearing on Friday Jany 15th 1897

No 540 Henrietta Mining & Milling Co
Plaintiff in Error
vs
Henry Johnson
Defendant in Error

It is ordered that this cause be set for hearing on Friday Jany 15th 1897

No 119 Jno. C. Lowe
Appellant
vs
Territory of Arizona
Respondent

It is ordered that this cause be set for hearing on tomorrow Morning at 10 o'clock A.M. Jany 12th 1897

No 533 The Bank of Arizona
Appellant
vs
Wm Lawlor
Appellee

On motion of D C Herndon Attorney for Appellant It is ordered that this cause be submitted on Briefs

No 542 M J Nugent Supt of the Territorial Prison
Appellant
vs
The State of Arizona Improvement Company
Appellee

It is ordered that this cause be set for hearing on Monday January 18th 1897

No 545 Noyes B. Allyn
Appellant
vs.
Bertha Echultz et al
Appellees

It is ordered that this cause be set for hearing tomorrow January 12th 1897 at two o'clock P.M

No 548 J Morton Marshall
Appellant
vs
Peter C Dentis
Appellee

On motion of Wm Armstrong attorney for appellant It is ordered that the appellant herein be granted until on or before the 15th day of January 1897 to file brief herein and that the appellee herein be granted 20 days thereafter to file his brief herein

Jan 1/97

No 548 Louis McElroy et al
Plaintiff in Error
vs
Leo McMackin et al
Defendants in Error

It is ordered that this cause be set for hearing on Friday January 15th 1897

No 550 A.C. Grady
Plaintiff in Error
vs
S.C. McMillan
Defendant in Error

It is ordered that this cause be set for hearing on Friday January 15th 1897

No 554 The Kellie Mining Company
Plaintiff in Error.
vs
Lenore Whitaker
Defendant in Error

It is ordered that this cause be set for hearing on Friday January 15th 1897

No 551 J. F. Meader
Appellant
vs
Zero Co operative Mining Co
Appellees

It is ordered that this cause be passed temporarily

No 113 James V Simms
Appellant
vs
Hanna V Simms
Appellee

On motion of Jo Campbell for appellant It is ordered that appellant be granted 20 days to file additional brief and cause be submitted on record

No 113 James E King
Appellant
vs
A. E. Clough
Appellee

It is ordered that this cause be heard tomorrow

No 117 Nicholas Mitchell
Appellant
vs
Territory of Arizona
Respondent

On motion of the Attorney General it is ordered that respondent be granted until January 17th 1897 to file a brief herein

It is ordered that this Court stand adjourned till tomorrow morning January 12th at 10 o'clock a.m.

A C Baker Chief Justice
Assoc "
" "
" "

Supreme Court } January Term 1897
Territory of Arizona } Phoenix Tuesday Jan 12/1897

Court met at 10 o'clock am

Present

His Honor A O Wake Chief Justice
" " O T Rouse Assoc "
" " E J Hamilton " "
" " R D Sutherland " "
J W B Alexander Clerk
M K Meade U.S. Marshal
E E Ellinwood " Attorney
Jo B Pratt Usher
Nic Dorsey Bailiff
Frank M Mantell "

The following business
was transacted

No 119 John L. Jones
Appellant
vs
Territory of Arizona
Respondent

This cause came on
regularly for hearing and was argued by
Mr T W Johnston for appellant and by the
Attorney General for the Respondent and cause
ordered submitted

No 562 The Atlantic Pacific R.R.Co.
Defendant and
The Mercantile Trust Co. and the
United State Trust Co.
Co-Defendants
vs
The Nicaragua Canal Co. Intervenor and
Appellee

On motion of Mr
Wilson leave was granted him to file Abstr
transcript

No 537 Chas Arnett
appellant
vs
W D Jefferson
appellee

It is ordered that this cause be passed temporarily

No 538 Jennie M Crow et al
appellants
vs
Etta C Adams
appellee

On motion of Walter Bennett it is ordered that he be granted permission to file short transcript in this cause

No 539 Jennie M Crow et al
appellants
vs
K. C. R. Road
appellee

On motion of Walter Bennett it is ordered that he be granted permission to file short transcript in this cause

No 560 Jennie M Crow et al
appellant
vs
Elmer Hoen
appellee

On motion of Walter Bennett it is ordered that he be granted permission to file short transcript in this cause

A recess was taken by the Court to 2 o'clock P.M.

Jan 12 97

Two Oclock P.M. Court resumed after Recess. The Chief Justice and all of the Associate Justices and the Clerk present. The following Opinions was Announced

No V37 Chas Smith Cit Appellant vs W. A Jefferson Appellee } Justice Powell did not sit in this Case.

This Case came on Regularly to be Heard and was argued by Mr John McGowan and Lee & Parker for Appellant and by Mr W. M Lapsley and Mellis & Jones for Cit Appellee and Case ordered Submitted

No V47 Mary E. Allyn Cit Appellant vs Bertha Schultz et al Cit Appellee } Justice Powell did not sit in this case

This Case came on Regularly to be Heard and was argued by Mr E. M Franklin for Appellant and Case ordered Submitted. Leave with the privilege to Appellee to Submit argument if desired during the term

Jany 12/97 It is ordered that the Court stand adjourned until tomorrow morning at 10 Oclock January 13th 1897.

A L Baker Chief Justice
" Associate Justice
" "
" "

Supreme Court } January Term 1897
Territory of Arizona } Phoenix. Wednesday Jany. 13th 1897.

The Court opened at 10 o'clock a.m. on this day.
Present. His Honor A.C. Baker. Chief Justice
" " O.S. Rouse Associate "
" " Jno J. Hawkins " "
" " J. P. Bethune " "
J.F.B Alexander Clerk
Dick Meade U.S. Marshal
E.E. Ellinwood U.S. Attorney
Jos. S. Pratt Crier
Frank McClintock Bailiff
Will Poheny Bailiff

The following business was transacted.

No 555 The Old Dominion Commercial Co.
Appellant
vs
The United Globe Mines
Appellee

On motion of Mr E.S. Ainsworth for appellant. it is ordered that he be granted leave to file certificate of the clerk of the lower Court in this cause.

No 567 E.J. Austin et al
Appellants
vs
Wm Yates
Appellee

On motion of Mr J.W. Johnston for appellant it is ordered that he be granted leave to file the transcript on appeal in this cause at this time.

January 13/97
No 445

D.W. Deavers et al
appellants
vs
Michael Welch
Appellee

In this cause it is ordered that the motion of appellee to retax and reduce costs be submitted.

No 536 Oscar Buckalew
appellant
vs
Geo. Golaschmidt
Appellee

In this cause it is ordered that appellees motion to dismiss be submitted, and that the cause on its merits be submitted on said motion.

No 537 Cerces Smith
Appellant
vs
W.D. Jefferson
Appellee

In this cause. It is ordered that the motion of appellant, to strike out appellees brief be denied.

No 504 Newt Bitts
appellant
vs
The Mayor & Common Council of Jonesboro
appellee

In this cause it is ordered that the motion of appellant for rehearing be denied.

June 13/97

No 506 | Le A. Stevens et al
Appellant
vs
Abbie E. Wadleigh
Appellee

In this cause it is ordered that motion of appellant for rehearing be denied.

No 507 | Michael Sullivan
Appellant
vs
W.B. Wood et al
Appellees

In this cause it is ordered that the motion of appellant for rehearing be denied.

No 517 | Juan P. Charlouloux
appellant
vs
Pedro Charlouloux
Appellee

In this cause it is ordered that the motion of appellee for rehearing be denied.

No 521 | C.S. Curtis
Appellant
vs
Robt. Faulkner et al
Appellees

In this cause it is ordered that the motion of appellant for rehearing be denied

January 13/97

No 535 Wildman. Peters-Goldman Co et al
Appellants
vs
Susan Shannon
Appellee

In this cause it is ordered that the motions of appellee herein filed be set for hearing on January 19th 1897. as well as the case on its merits

No 555 The Old Dominion Commercial Co
Appellant
vs
The United Globe Mines.
Appellees

In this cause it is ordered that the the motion of appellee to affirm be submitted.

No 556 In the matter of the final account of Ono Hughes Special Administrator of Joseph Dunn deceased

In this cause it is ordered that the motion of Rochester Ford for Respondent. be submitted.

No 558 Jennie Brown et al
Appellant
vs
Ella L. Adams
Appellee

In this cause it is ordered that the motion of appellee to affirm be submitted.

Jany 13/97
No 559

Jennie Brow et al
appellants
vs
W. Small
Appellee

In this cause it is ordered that the motion of Appellee to affirm be submitted.

No 560

Jennie Brow et al
Appellant
vs
Anna Horen
Appellee

In this cause it is ordered that the motion of appellee to affirm be submitted.

No 563

L. Goodman Defendant and
R.E. Daggs Intervenor
Appellants
vs
B.N. Freeman et al
Appellees.

In this cause it is ordered that the motion of appellees to affirm be passed until Jany 16th 1897

No 564

L. Goodman et al
Appellants
vs
B.N. Freeman et al
Appellees

In this cause it is ordered that the motion of appellees to affirm be passed until January 16 1897

January 13/97

No 565 Wm. Gillups
Appellant
vs
Lest. Gray
Appellee

In this cause it is ordered that the motion of appellee to affirm be passed until January 16 1897.

No 566 J. Pr. Burch Short
Appellant
vs
Geo. H. Hoadley Adm. etc.
Appellee

In this cause it is ordered that the motion of appellee to dismiss the appeal be submitted.

No 115 John Rogers
Appellant
vs
Territory of Arizona
Respondent

In this cause on motion of the attorney General. It is ordered that this cause be submitted on the Brief of appellant and the record in the case.

No 118 Harry Murphy and Harry Gates
Appellants
vs
Territory of Arizona
Respondent

In this cause. On motion of the attorney General it is ordered that the case be submitted on appellants brief and record of the case.

No 117 The Territory of Arizona
Appellant
vs
Nicholas Mitchias
Appellee

In this cause on motion of the Attorney General it is ordered that it be set for hearing on January 18. 1897

No 120 Philip Fairley
Appellant
vs
United States of America
Respondent

In this cause it is ordered that it be set for hearing on January 19th 1897.

No 615 F.M. Bzarnowski
Appellant
vs
Joe Stolland
Appellee

It is ordered that this cause be set for hearing on January 20th 1897.

No 53H Frank Lohman
Appellant
vs
Lew Killard
Appellee

On motion of Mr J.S. Herndon for appellee

Jany 13/97

№ 541 Rhoda P Green et al
Appellants
vs
E.P. Smith et al
Appellees

It is ordered that the hearing in this cause be set for January 15 1897

№ 546 James F. Utter et al
Petitioners
v
Benj J. Franklin et al.
Loan Commissioners etc
Defendants

It is ordered that the hearing of this cause be set for January 21. 1897.

№ 547 Frank Pysart
Appellant
vs
Graham County
Appellee

It is ordered that this cause be set for hearing at 2 Oclock this afternoon

№ 548 Horton Marshal
Appellant
vs
Peter S. Burtis
Appellee

It is ordered that the hearing of this cause be set for January 22 1897.

January 13/97

No 552

James T. Timms
Appellant
vs
Amina J. Timms
Appellee

In this cause it is ordered on motion of Mr Walter Brunet for appellee that he have 5 days to file reply brief in the cause to appellants brief.

No 553

James E. Ewing
appellant
vs
A.D. Keough
Appellee

It is ordered in this cause that the hearing thereof be set for January 27 1897.

No 116

Austin Shacon
Appellant
vs
Territory of Arizona
Respondent

Justice Bonse did not sit at the hearing of this cause.

This cause came on regularly to be heard on this day. And was argued by Mr Wm M. Fowell for appellant and by Wiley E. Jones and W.H. Barnes for respondent and cause ordered submitted.

On motion of Mr W.H. Williams it is ordered that Mr Albert M. Stacy who holds license from the Supreme Courts of Dakota and Minnesota be admitted to practice in this Court upon his signing the roll of attorneys and taking the usual oath

A recess was taken by the Court until 2 o'clock this afternoon

January 13/97

The Court reconvened after recess. there being present the Chief Justice and Associate Justices Hawkins and Bethune and the Clerk.

The following business was transacted -

No 543 J.A. Thompson
Appellant
vs
Treasurer & Ex-Officio
Frank Dysart, Tax Collector of
Graham County
Appellee

This cause came on to be heard and was argued by Mr W.H.H. Barnes for appellant and by Mr Wiley E Jones and Mr Wm M Lovell for Appellee and ordered submitted.

No 547 Frank Dysart
Appellant
vs
Graham County.
Appellee

This cause came on to be heard. and was argued by Mr Wm M Lovell for appellant. further argument in the cause was ordered continued until Tomorrow morning.

It is ordered that the court stand adjourned until tomorrow morning January 14 th 1897 at 10 am.

A C Buxton Chief Justice
" Associate "
" "
" "

Supreme Court } Tuesday Jan 1897
County of Tipperary } Thurs Wednesday Jan 14th 1897

Court met at 10 o'clock a.m.

Present

The Hon C. C. Walker, Chief Justice
" J. J. Hanlon Puisne "
" O'Brien "
" McIlraith "

Alexander Bell
Wm Meade M. C. Macnal
E. E. Emmet McCarthy
Wm Pratt Clerk
Nat. Doheny Bailiff
Liam McGuire "

The following cases

was Transacted

No 747 Frank Wright
Appellant
vs
The County of Galway
Respondent.

Argument in this Case was resumed by Mr Kevan for Appellant and by Mr Riley & Hogan for Respondent and Case ordered to stand over.

No 787 Chas Smith
Appellant
vs.
B. D Jefferson
Appellant

Mr is ordered that Case be granted upon Payment of fee and Usual Conditions in this Case,

This order to stand adjourned till tomorrow Morning Jany 15th 1897

Chief Justice

Supreme Court } Friday Jan 1897
Inventory of Estates } Chamber Friday Jan. 15-1897

Court met at 10 o'clock A.M.

Present -

The Hon A.E. Baker Chief Justice
" " H.R. Hawkins Assoc "
" " A.L. Rowe " "
" " H.E. Bethune " "

The following Decision.

Estate Alexander Mew.
" Pratt deceased
" Anderson Bailiff
" Hamilton "

Decision Reserved

It is ordered that the U.S. Marshal Records &c Treasury Stationary &c the Clerk of this Court for the use of the Court sitting at Nassau Jan 1897.

No 55b In the matter of the final account of Thos. Anders Special Administrator of Jos. Rees deceased.
Appellant.

The motion of Mr Rickerts for attorney for Respondents, Creditors and Executors to affirm the judgment of the lower Court in this cause having heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the said motion be sustained and that the judgment in the lower Court in this cause be and the same is hereby affirmed, with costs.

Jan 15/97
No V33

Cora Greenbaum
Co Applicant
vs
Leo Goldsmith
Appellee

The motion of appellee to dismiss filed herein having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises, It is ordered that said motion be sustained and the judgment of the lower court herein be and the same is hereby affirmed.

No V38

Jennie M Crawford
Appellant
vs
Ella C Adams
Appellee.

The motion of appellee to affirm filed herein having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same, and being fully advised in the premises, It is ordered that said motion be sustained, and the judgment of the lower court herein be and the same is hereby affirmed; and it is further ordered, adjudged and decreed that appellee herein do have and recover of and from Jennie M. Crow, Henry Crow, Winfield Scott, Nathaniel Hudson, A. M. Tuttle and Fred Hudson appellants herein and Edward P. McCormick and Moses Harrison sureties on the appeal bond herein, the sum of $32.80, the costs of appellee in the lower Court, and her costs in this court taxed at $15.00

No 5004 Jennie M Crow et al
Appellants
vs
K. P. Hudson
Appellee.

The motion of appellee to affirm the judgment of lower court filed herein having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same, and being fully advised in the premises, It is ordered that said motion be sustained, and the judgment of the the Court below be and the same is hereby affirmed; and it is further ordered, adjudged and decreed that appellee herein do have and recover of and from Jennie M. Crow, Henry Crow, Winfield Scott and Nathaniel Hudson, appellants herein, and Fred Hudson and A. M. Tuttle the sureties on the appeal bond herein, the sum of $38.80, the appellee's costs in the Court below, and his costs in this Court taxed $15.00

No 5006 Edward E Kirk
Appellant
vs
Eli P Hardy, Adm.
Appellee.

The motion of appellee to dismiss the appeal filed herein having been heretofore submitted and by the Court taken under consideration and the Court having considered the same, and being fully advised in the premises, it is ordered that said motion be sustained, and the judgment of the lower Court herein be and the same is hereby affirmed.
And it is further ordered and adjudged that appellee herein recover against the appellant herein and D.S. Evans and B. Heyman the Sureties in the appeal bond herein his costs incurred in the lower Court in this cause. and the sum of fifteen Dollars his costs in this Court and have execution therefor _

Jan 17 1907

No 734

Arizona Mining & Milling Co.
Plaintiff in Error
vs.
James J Gardner
Defendant in Error

} This cause coming on regularly to be heard this day and was argued by Mr Nilson for Plaintiff in Error and by J C Herndon and Mr Morrison for Defendants in Error and cause ordered submitted

No VI

J F Meader
Appellant
vs.
Peros & Apache Narrow Gauge and Manufacturing Institution
a Corporation
Appellees

} In this cause it is ordered that appellant be granted leave to withdraw transcript and refile same with Certificate of Clerk as of this date.

No 736

The Arizona Northern Mining Co
Plaintiff in Error
vs.
Ed. Cain
Defendant in Error

} It is ordered that the hearing herein be passed until 2 o'clock P. M. of this day.

No 7460 — Fannetta Mary Mulvey
Plaintiff in Error
vs.
Mary Johnson
Defendant in Error

It is ordered that this cause be passed till tomorrow morning Jan 16th 1897

No 7461 — Mc Cadden and Rainey & Chase
Appellants
vs.
Maria Welch
Appellee

It is ordered in the cause that the motion to retax costs in dismissing the item of $30.40 for copying 4.N2 folios at 20 ct each be sustained.

No 3532 — The Territory of Arizona
Appellee
vs.
The Union Pacific Railroad Company
Appellant

In this cause it is ordered that the Clerk of this Court send down to the Court below the Statement of the taxes and costs and the description of the property upon which the same is due, as

480

Jan 5/897

In vacation of the Circuit Court of Cook County, Illinois

Now on motion of Mr. Donovan and it appearing to the Court that the appellant has entered into bond in the penal sum of $500.00 with sureties approved by the Clerk of this Court, conditioned as required by law, and has filed his assignment of errors, it is ordered that the writ of error issued herein be and the same is hereby made a supersedeas.

No 5741 Rhoda D. Prescott
Appellant
vs
Mary E. Coleman
Appellee

} It is ordered that the appellee be granted leave to file motion to dismiss.

No 5761 Geo. E. Harvey
Appellant
vs
Henry Priest
Appellee

} It is ordered that the motion of appellee herein be submitted

No 541 L. Roda (P Green et al
appellants
vs
Martin McEldowney
appellees

This cause came on for hearing this day and was argued by Mr Riley & Jones and by Mr McBarnes for appellants and by Mr Lovell for appellee and cause ordered submitted.

No. 560 Jennie M. Brow, Henry Brow, Winfield Scott and Nathaniel Hudson
Appellants
vs.
Anna Horan
Appellee
} Millay & Bennett

The motion of appellee to affirm filed herein having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same and being fully advised in the premises, It is ordered that said motion be sustained, and the judgment of the lower Court herein be and the same is hereby affirmed; and it is further ordered, adjudged and decreed that appellee herein do have and recover of and from the appellants Jennie M. Brow, Henry Brow, Winfield Scott, Nathaniel Harrison, A. M. Tuttle, and Fred Hudson, and Edward P. McCormick and Moses Morrison, sureties on the appeal bond herein, the sum of $34.25, the costs of appellee in the lower Court, and her costs in this Court taxed at $15.00

It is ordered that Court stand adjourned till tomorrow morning, January 16th 1897

A C Baker Chief Justice
Associate

Supreme Court } January Term 1897
Territory of Arizona } Morning Saturday Jan 16th 1897

Court met at 10 o'clock AM

Present

Chas Silent C C Bates Chief Justice
" " E N Rouse Assoc "
" " J H Mackenzie " "
" " J H Peshine " "
J R Alexander Clerk
Jos A Pratt Asst "
Frank McClintock Bailiff
Mich Doherty "

The following business was transacted

On motion of Mr Robert Stuart Mr N A Givens was admitted to practice in this court on Certificate of the Supreme Court of the State of California

On motion of Mr Robert Stuart Mr Frank L Richenbaugh was admitted to practice in this court on Certificate of the Supreme Court of the State of Ohio

No 540 Tonnetta Mining & Milling Co
vs
Hemphill Exr
vs
Henry Dobson
Defendant Exr

The case came on to be heard this day and was argued by Mr Robertson and by Mr N A Bayless for Plaintiff in Error and argument ordered continued until after recess.

Ordered that Court take a recess till 2 o'clock P.M.

C^no Order Ct. Ct. Court recommenced after recess. Present the Chief Justice and the Associate Justices and the Clerk

The following Cases were handed

No 540 Venezuela Mining & Milling Co
Plaintiff in Error
vs
Henry Johnson
Defendant in Error

Argument was resumed in this cause by Mr. E. Morrison for Defendant in Error, and it was ordered that Plaintiff in Error be granted five days to file reply brief and cause be submitted on the coming in of such brief

No 536 Arizona Mining & Milling Co
Plaintiff in Error
vs
Ed Cain
Defendant in Error

This cause was set for hearing on January 20th 1897

January 1897

No 550 A C Grady
Plaintiff in Error
v.
J A McMillan and
James Goodwin Partners.
Defendants in Error

It is ordered that this cause be reset for hearing on January 26th 1897

No 549 Lewis C Ney (Mary et al
Petitioners
v
George M Wade et al
Defendants

It is ordered that this cause be reset for hearing on January 26th 1897

It is ordered that Court stand adjourned this Tuesday January 19th 1897 at 10 o'clock A M

A C Baldwin
Chief Justice
Mississippi

Supreme Court } January Term 1897
Territory of Arizona } Thursday Jan 19th 1897

Court met at 10 o'clock AM

Present

His Honor A. C. Baker Chief Justice
" " A. J. Rouse Assoc "
" " H. N. Buckner " "
" " J. F. Hawkins " "
R. L. Alexander Clerk
Jos. W. Pratt Crier
Matt Doherty Bailiff
Frank J. McClintock "

The following business was transacted

No 120 Philip Lavelle
Appellant
vs
The United States of America
Respondent

} It is ordered that the hearing in this cause be postponed temporarily

No 124 Prescott & Phoenix R. Co.
Plaintiffs in Error
vs
Edward E. Kerr
Defendant in Error

} It is ordered that the hearing of this cause be postponed until tomorrow morning Jan 20th 97

Jan 1897
No 542

W J Nugent Capt.
Territorial Prisoner
Appellant

vs

The Stat of Arizona
Improvement Company
Co, Pelee

This cause came on to be heard on this day and was argued by the Attorny General for appellant

A recess was taken by the Court till 2 oclock (P M).

Two Oclock (P M) Court recovened after recess Present all of the Associate Justices and the Clerk.

No 542

W J Nugent Capt
Territorial Prisoner
Appellant

vs

The Stat of Arizona
Improvement Company
Co Pelee

In this cause argument was resumed by Mr Eugene S. Ives for Appellee and the argument continued till tomorrow morning

It is ordered that Court stand adjourned till tomorrow morning at 10 oclock January 20th 1897 A C Baker Chief Justice

Attest

Supreme Court } January Term 1897
Territory of Arizona } Morning Wednesday Jan 20/1897

Court met at 10 o'clock A.M.

Present

The Honor O. N. Rouse Associate Justice
" " F. J. Hawkins " "
" " H. D. Sloan " "
R. W. Alexander Clerk
Jno W. Pratt Crier
Tim Mahoney Bailiff
Frank McAndrew "

The following
business was transacted

No 541 The State of Arizona }
Appellant }
vs }
Ed Cuttler et al Defendants } Appellees

On motion of Mr. Riley
Leave is granted appellants it is ordered that the
same stand as file additional Bond of the
record in this cause

No 542 The Pioneer Consolidated Mining Co }
Appellant }
vs }
The State of Arizona on Information &c. }
Appellee }

In this cause Mr Sloan
heard argument for appellee and Counsel and
argument in behalf of appellant
rehearing thereto.

It is ordered by the Court this
2 o'clock P.M.

Jan 20/97

Ten O'clock A.M. Court
Reconvened pursuant recess
Present Hon. Stanton, O.T. Rouse J.J. Hawkins
and J.D. Bethune Associate Justices and
the Clerk

No 542 M.J. Reagan Supt
General Land Office
Appellant
vs
The State of Arizona
Improvement Co.
Appellee

In this cause argument
was resumed by the Attorney General for
appellant and cause ordered submitted

It is ordered that Court stand
adjourned till 10 o'clock A.M. Jan 21st 1897

A.C. Baker Chief Justice
Arizona

Supreme Court } January Term 1897
Territory of Arizona } Prescott Thursday Jan 21/1897

Court met at 10 o'clock A.M.

Present.

Hon Edmund C. Rowe Associate Justice
" J. H. Hawkins "
" D. L. Berkhimer "
C. B. Alexander Clerk
J. D. Pratt Crier
Fred A. Maxey Deputy "
Chas. McClintock "

The following business was transacted

No 535 Weidman Peter Goldman
Company and A. Pelton
Appellants
vs
Ethan A. Hannon
Appellee

The case came on to be heard on this day upon the motion to affirm of Appellee and upon the record in the case and the argument by Jas. H. Kinkead for Appellant and by Jas. H. Early for Appellee, and a diminution of the record having been requested by the Appellant, it is ordered that the same be supplied and filed the opinion thereof in the manuscript now on file herein and that the Cause be submitted on the filing of the same

490

Jan 2 1897

No V 38

P J Cole
Appellant
vs
The Territory of Arizona at the
relation of J F Wilson Attorney General
Appellee

This cause came on to be heard on this day and was argued by Mr L C Chalmers for appellant and by the Attorney General for appellee

A Recess was taken by the Court till 2 o'clock PM

2 o'clock PM. Court reconvened after recess. Present This Hon Wm C. Rowe J Ontaneda and E S Bethune Clerk and Sheriff and the Clerk

The following Opinion was handed

No V 38

P J Cole
Appellant
vs
The Territory of Arizona at the
relation of J F Wilson Attorney General
Appellee

The argument in this cause was determined by the Attorney General on appellee and the cause ordered submitted

No 946 Sam'l Litter and Elizabeth D. Jenkins Plaintiffs in Error vs Benjamin Franklin et al Defendant } In this cause it is ordered that the hearing Rehearing be set for tomorrow morning Jan 22nd, 897

No 944 Henrietta Wilding Wilkins Plaintiff in Error vs Daniel Weis Defendant in Error } Chas Dustin Baker appeared and argued the hearing of this cause and Dustin Franklin withdrew

This cause came on to be heard on this day and was argued by the Attorneys for the Plaintiffs in Error and on the Motion, Prior to the hearing in Error and Cause ordered Submitted

On the Motion of the Counsel for the Defendant in Error

Supreme Court } January Term 1897
Territory of Arizona } Morning Friday Jan 22nd 97

Court met at 10 o'clock A.M.

Present

His Honor A.C. Baker Chief Justice
" A.J. Rowe Associate "
" E.D. Franklin " "
" J.A. Richard " "
J.R. Alexander Clerk
Jo B Oratt Crier
Eric Doheney Bailiff
Chas McClintock "

The following proceedings were had:

No 730 Chas Blackburn et al)
Appellants)
vs)
The United States of America)
Appellee)

On motion of Mr Johnston for appellant it is ordered that he have leave to file transcript at this time and also his brief in this cause and that the transcript and brief together with the answer to the motion of appellee to affirm be permitted and said motion to affirm

January 27/97

No 120 Philip Lackey
Appellant
vs
The United State of America
Respondent

In this Cause It is ordered that Appellant have 5 days to file brief herein and that Respondent have 3 days thereafter to file brief and that upon the filing of such briefs, the Cause be Submitted on such briefs.

No V46 James F. Utterstal
Plaintiffs Petitioners
vs
Bejamin J Standkistal
Defendants

This Cause came on to be heard this day and was argued by Mr. McAdams for Petitioners and argument ordered continued till after recess this afternoon

Cause was called by the Court at 2 o'clock P.M.

Jan 22 1897

Was ordered that Court be moved after recess to Court House in the Chapel Room and all of the record Motion and the Clerk

No 546 | Jesse R Utter et al Plaintiffs in Error v. Benjamin F Franklin et al Defendants. | } The argument in this cause was resumed by Jn Barnes for Petitioners and by Mr E. J Millard for Defendants who on motion of the Attorney General was entered as associate Counsel for Defendants, herein and argument was Continued until next Thursday January 28th 1897

Ordered that Court stand adjourned till Thursday Morning Jan 28th 1897 at 10 o'clock

A C Baker Chief Justice

Supreme Court } January Term 1897
Territory of Arizona } Prescott, Tuesday, Jan 16th 97

Court met at 10 o'clock A.M.

Present

His Honor A. C. Baker Chief Justice
" " A. H. Rouse Asso. "
" " J. D. Fenn " "
R. E. Alexander Clerk
H. W. Pratt Asst
Wm. A. Doherty Bailiff
Frank N. Conford "

The following Attorneys were admitted

On motion of Mr. Woodward

It is ordered that Wm. John Wilson who holds a license to practice in the Supreme Court of Pennsylvania be admitted to practice in this Court, upon his signing the roll of Attorneys and taking the usual oath

Jan 26th 97

Tuesday Oct. Court recommenced after recess.

Present His Honor A. C. Baker Chief Judge
" " A. Rowe Assoc. "
" " J. Buchanan " "
and the Clerk.

No 524 Frank Lohman
Appellant
vs
Lew Wiland
Appellee

On motion of Mr Herndon for appellee it is ordered that the hearing of this cause be set for tomorrow Jany 27th 1897

No 567 E. J. Austin et al
Appellants
vs
Jno. Yates
Appellee

On motion of Mr Johnston for appellants it is ordered that the hearing of this cause be set for tomorrow Jany 27th 1897

No 536 Arizona Northern Mining Co
Plaintiff in Error
v
Ed Cain
Defendant in Error

This cause came on to be heard on this day and was argued by Mr Sanford for Plaintiff in Error and by Mr Herndon for Defendant in Error and cause ordered submitted

It is ordered that Court stand adjourned till tomorrow morning January 27th 1897 at 10 o'clock A.M.

A C Baker Chief Justice

Captain Court } Counsel for Plaintiff
Counsel for Defendants } Counsel for Defendants

Court met at 10 o'clock A.M.

Plaintiff

Chas Wilcox C.E. Dunn Engineer
" " Ch Wilcox " "
" " C Wilcox " "
Alexander Cull
Jas Wilcox Wilcox
Geo Vokes Bricklayer
Alex McClenaghan

The following witnesses

On motion of Mr Dunn it is ordered that all witnesses on both sides be excluded from the Court room except the witness under examination

Plaintiff Chas Wilcox recalled

Cross examined

Re-examined

Plaintiff closed

Defendants put in the following documents

Agreement between Chas Wilcox & Jas Cull dated 25th March 1897

Agreement between Chas Wilcox & Alex McClenaghan dated 25th March 1897

73574 Kent Coal Mining Company
Limited.
to
Kent Coal
Exploration Co. Ltd.

This Agreement made this day and
entered into by the Kent Coal Mining Company Limited
and Kent Coal Exploration Co. Ltd.

Kent Coal Mining Company
Limited
to
Kent Coal
Exploration Co. Ltd.

This Agreement made this day and entered into
by the Kent Coal Mining Company Limited and Kent
Coal Exploration Co. Ltd.

This memorandum made this day of
A.D. 1

January 97

Die Civil Ehe soll Civil Ehe
agiren können. Niemand darf Trauung
verlangen, bevor Civil Ehe
Die folgenden Bestimmungen sind Standes

Notice of Marriage Entry
Aufgebot in Civil
or
Civil Publication
Aufgebot in Civil

Einverständniß in Civil
Civil Ehe, Aufgebot, Einverständniß in
Civil Ehe, Civil Aufgebot, Einverständniß in
Civil Ehe, Civil Aufgebot, Einverständniß

Civil Ehe soll Civil Ehe
Civil Ehe, Civil Aufgebot, Civil Einverständniß
Civil Ehe, Civil Aufgebot, Civil Einverständniß

A C Barlow Civil Service

Nov 4th 1867

Frank Robinson
Plaintiff
vs
Hannah Driscoll
Defendant

This Cause came on to be heard this day upon the Bill of Complaint and the Answer of the Defendant and the Testimony and Exhibits and Cause ordered dismissed

Nov 6th

Ellen Austin et al
Complainants
vs
Jno Cate
Defendant

This Cause came on to be heard this day and was argued by Mr. Winston for Complainants and by Mr Herndon for Defendant and Cause ordered Retained

Supreme Court { Appellate Division, First Department
Appellate Division, Second Department

Court of Appeals

Present:

Hon. Alton B. Parker Chief Judge
" Robert Earl
" Edward T. Bartlett
" John Clinton Gray
" Chase Mellen
" Haight
" Vann
" William H. Werner
" Frank H. Hiscock
" Chester B. McLaughlin
Associate Judges

In the Matter of the Application of Charles W. Dayton for a Writ of Certiorari to Review the Proceedings of the Board of Canvassers of the City of Albany, in Relation to Certain Ballots Voted at the General Election Held in Said City on the 8th Day of November, 1904.

Application for writ of certiorari denied.

Motion submitted October 11, 1904.

Decided October 18, 1904.

January 29th

Court reconvened after recess pursuant to Chief Justice and Associate Justices, Brown, Peckham and Harlan, the Clerk of the following cases were announced

No 546 James R Hitt et al Plaintiffs in Error vs Benjamin Strawbridge et al Defendants } In Error

Came on to be argued on the day, the Plaintiffs in Error moved for an order to dismiss and Case ordered dismissed

No 552 John E King Appellant vs A. C. Dixon et al Appellees } Appeal

It is ordered that the Hearing on this Cause do set for Friday February 25th 1897

Jan 29 97
Nov 50

The Sheriff of Essex
v.
The Municipal
Defendant in Error

} Writ of Certiorari dismissed with costs.

This cause came on to be heard on this day and was argued by Mr. Gilman Starkey for the Plaintiff in Error and Mr. Ardagh Chisholm for the Defendant in Error and on all and singular the premises it is considered and adjudged by this Court that the writ of Certiorari herein be and the same is hereby dismissed with costs to be taxed and certified according to law.

And it is ordered that the Clerk of this Court do forthwith certify to the Honorable the Mayor and Aldermen of the City of Toronto

A. C. Baker Chief Justice
Osler "
Hagarty "
Burton "

Clerk of Assize

Counsel for the Prosecution

Counsel for the Defendant

Solicitor for the Prosecution

Solicitor for the Defendant

Shorthand Writer

Usher

Police Officer in Charge of the Case

Police Officer in Court

Police Officer in Attendance

Police Officer in Charge of Exhibits

Police Officer in Charge of Bail Applications

Police Officer in Charge of Jury Panel

Police Officer in Charge of Witnesses

Police Officer in Charge of Defendant

Police Officer in Charge of Interpreters

Police Officer in Charge of Court Security

Police Officer in Charge of Prisoner Escort

Police Officer in Charge of Court Recording Equipment

Police Officer in Charge of Court Video Link

Police Officer in Charge of Court Audio Link

Police Officer in Charge of Court Transcription

Police Officer in Charge of Court Interpretation

Police Officer in Charge of Court Translation

Police Officer in Charge of Court Witness Support

Police Officer in Charge of Court Victim Support

Police Officer in Charge of Court Special Measures

Police Officer in Charge of Court Intermediary

Police Officer in Charge of Court Registered Intermediary

Police Officer in Charge of Court Appropriate Adult

Police Officer in Charge of Court Vulnerable Witness

Police Officer in Charge of Court Vulnerable Defendant

Police Officer in Charge of Court Child Witness

Police Officer in Charge of Court Child Defendant

Police Officer in Charge of Court Young Witness

Police Officer in Charge of Court Young Defendant

Police Officer in Charge of Court Elderly Witness

Police Officer in Charge of Court Elderly Defendant

Police Officer in Charge of Court Disabled Witness

Police Officer in Charge of Court Disabled Defendant

Police Officer in Charge of Court Mentally Disordered Witness

Police Officer in Charge of Court Mentally Disordered Defendant

Police Officer in Charge of Court Learning Disabled Witness

Police Officer in Charge of Court Learning Disabled Defendant

Police Officer in Charge of Court Autistic Witness

Police Officer in Charge of Court Autistic Defendant

Police Officer in Charge of Court Deaf Witness

Police Officer in Charge of Court Deaf Defendant

Police Officer in Charge of Court Blind Witness

Police Officer in Charge of Court Blind Defendant

Police Officer in Charge of Court Mute Witness

Police Officer in Charge of Court Mute Defendant

Police Officer in Charge of Court Witness with Speech Impediment

Police Officer in Charge of Court Defendant with Speech Impediment

Police Officer in Charge of Court Witness with Hearing Impairment

Police Officer in Charge of Court Defendant with Hearing Impairment

Police Officer in Charge of Court Witness with Visual Impairment

Police Officer in Charge of Court Defendant with Visual Impairment

Police Officer in Charge of Court Witness with Mobility Impairment

Police Officer in Charge of Court Defendant with Mobility Impairment

Police Officer in Charge of Court Witness with Dexterity Impairment

Police Officer in Charge of Court Defendant with Dexterity Impairment

Police Officer in Charge of Court Witness with Stamina Impairment

Police Officer in Charge of Court Defendant with Stamina Impairment

Police Officer in Charge of Court Witness with Pain Impairment

Police Officer in Charge of Court Defendant with Pain Impairment

Police Officer in Charge of Court Witness with Fatigue Impairment

Police Officer in Charge of Court Defendant with Fatigue Impairment

Police Officer in Charge of Court Witness with Weakness Impairment

Police Officer in Charge of Court Defendant with Weakness Impairment

Police Officer in Charge of Court Witness with Paralysis Impairment

Police Officer in Charge of Court Defendant with Paralysis Impairment

Police Officer in Charge of Court Witness with Amputation Impairment

Police Officer in Charge of Court Defendant with Amputation Impairment

Police Officer in Charge of Court Witness with Prosthetic Impairment

Police Officer in Charge of Court Defendant with Prosthetic Impairment

Police Officer in Charge of Court Witness with Orthotic Impairment

Police Officer in Charge of Court Defendant with Orthotic Impairment

Police Officer in Charge of Court Witness with Wheelchair Impairment

Police Officer in Charge of Court Defendant with Wheelchair Impairment

Police Officer in Charge of Court Witness with Mobility Scooter Impairment

Police Officer in Charge of Court Defendant with Mobility Scooter Impairment

Police Officer in Charge of Court Witness with Walking Frame Impairment

Police Officer in Charge of Court Defendant with Walking Frame Impairment

Police Officer in Charge of Court Witness with Crutches Impairment

Police Officer in Charge of Court Defendant with Crutches Impairment

Police Officer in Charge of Court Witness with Walking Stick Impairment

Police Officer in Charge of Court Defendant with Walking Stick Impairment

Police Officer in Charge of Court Witness with Guide Dog Impairment

Police Officer in Charge of Court Defendant with Guide Dog Impairment

Police Officer in Charge of Court Witness with Hearing Dog Impairment

Police Officer in Charge of Court Defendant with Hearing Dog Impairment

Police Officer in Charge of Court Witness with Assistance Dog Impairment

Police Officer in Charge of Court Defendant with Assistance Dog Impairment

Police Officer in Charge of Court Witness with Service Dog Impairment

Police Officer in Charge of Court Defendant with Service Dog Impairment

Police Officer in Charge of Court Witness with Therapy Dog Impairment

Police Officer in Charge of Court Defendant with Therapy Dog Impairment

Police Officer in Charge of Court Witness with Emotional Support Animal Impairment

Police Officer in Charge of Court Defendant with Emotional Support Animal Impairment

Police Officer in Charge of Court Witness with Comfort Animal Impairment

Police Officer in Charge of Court Defendant with Comfort Animal Impairment

Police Officer in Charge of Court Witness with Companion Animal Impairment

Police Officer in Charge of Court Defendant with Companion Animal Impairment

Police Officer in Charge of Court Witness with Pet Impairment

Police Officer in Charge of Court Defendant with Pet Impairment

Police Officer in Charge of Court Witness with Livestock Impairment

Police Officer in Charge of Court Defendant with Livestock Impairment

Police Officer in Charge of Court Witness with Farm Animal Impairment

Police Officer in Charge of Court Defendant with Farm Animal Impairment

Police Officer in Charge of Court Witness with Wild Animal Impairment

Police Officer in Charge of Court Defendant with Wild Animal Impairment

Police Officer in Charge of Court Witness with Exotic Animal Impairment

Police Officer in Charge of Court Defendant with Exotic Animal Impairment

Police Officer in Charge of Court Witness with Reptile Impairment

Police Officer in Charge of Court Defendant with Reptile Impairment

Police Officer in Charge of Court Witness with Amphibian Impairment

Police Officer in Charge of Court Defendant with Amphibian Impairment

Police Officer in Charge of Court Witness with Fish Impairment

Police Officer in Charge of Court Defendant with Fish Impairment

Police Officer in Charge of Court Witness with Insect Impairment

Police Officer in Charge of Court Defendant with Insect Impairment

Police Officer in Charge of Court Witness with Arachnid Impairment

Police Officer in Charge of Court Defendant with Arachnid Impairment

Police Officer in Charge of Court Witness with Crustacean Impairment

Police Officer in Charge of Court Defendant with Crustacean Impairment

Police Officer in Charge of Court Witness with Mollusc Impairment

Police Officer in Charge of Court Defendant with Mollusc Impairment

Police Officer in Charge of Court Witness with Worm Impairment

Police Officer in Charge of Court Defendant with Worm Impairment

Police Officer in Charge of Court Witness with Parasite Impairment

Police Officer in Charge of Court Defendant with Parasite Impairment

Police Officer in Charge of Court Witness with Virus Impairment

Police Officer in Charge of Court Defendant with Virus Impairment

Police Officer in Charge of Court Witness with Bacteria Impairment

Police Officer in Charge of Court Defendant with Bacteria Impairment

Police Officer in Charge of Court Witness with Fungus Impairment

Police Officer in Charge of Court Defendant with Fungus Impairment

Police Officer in Charge of Court Witness with Mould Impairment

Police Officer in Charge of Court Defendant with Mould Impairment

Police Officer in Charge of Court Witness with Yeast Impairment

Police Officer in Charge of Court Defendant with Yeast Impairment

Police Officer in Charge of Court Witness with Protozoa Impairment

Police Officer in Charge of Court Defendant with Protozoa Impairment

Police Officer in Charge of Court Witness with Algae Impairment

Police Officer in Charge of Court Defendant with Algae Impairment

Police Officer in Charge of Court Witness with Plant Impairment

Police Officer in Charge of Court Defendant with Plant Impairment

Police Officer in Charge of Court Witness with Tree Impairment

Police Officer in Charge of Court Defendant with Tree Impairment

Police Officer in Charge of Court Witness with Shrub Impairment

Police Officer in Charge of Court Defendant with Shrub Impairment

Police Officer in Charge of Court Witness with Flower Impairment

Police Officer in Charge of Court Defendant with Flower Impairment

Police Officer in Charge of Court Witness with Grass Impairment

Police Officer in Charge of Court Defendant with Grass Impairment

Police Officer in Charge of Court Witness with Moss Impairment

Police Officer in Charge of Court Defendant with Moss Impairment

Police Officer in Charge of Court Witness with Fern Impairment

Police Officer in Charge of Court Defendant with Fern Impairment

Police Officer in Charge of Court Witness with Conifer Impairment

Police Officer in Charge of Court Defendant with Conifer Impairment

Police Officer in Charge of Court Witness with Deciduous Impairment

Police Officer in Charge of Court Defendant with Deciduous Impairment

Police Officer in Charge of Court Witness with Evergreen Impairment

Police Officer in Charge of Court Defendant with Evergreen Impairment

Police Officer in Charge of Court Witness with Perennial Impairment

Police Officer in Charge of Court Defendant with Perennial Impairment

Police Officer in Charge of Court Witness with Annual Impairment

Police Officer in Charge of Court Defendant with Annual Impairment

Police Officer in Charge of Court Witness with Biennial Impairment

Police Officer in Charge of Court Defendant with Biennial Impairment

Police Officer in Charge of Court Witness with Herbaceous Impairment

Police Officer in Charge of Court Defendant with Herbaceous Impairment

Police Officer in Charge of Court Witness with Woody Impairment

Police Officer in Charge of Court Defendant with Woody Impairment

Police Officer in Charge of Court Witness with Succulent Impairment

Police Officer in Charge of Court Defendant with Succulent Impairment

Police Officer in Charge of Court Witness with Cactus Impairment

Police Officer in Charge of Court Defendant with Cactus Impairment

Police Officer in Charge of Court Witness with Aquatic Impairment

Police Officer in Charge of Court Defendant with Aquatic Impairment

Police Officer in Charge of Court Witness with Marine Impairment

Police Officer in Charge of Court Defendant with Marine Impairment

Police Officer in Charge of Court Witness with Freshwater Impairment

Police Officer in Charge of Court Defendant with Freshwater Impairment

Police Officer in Charge of Court Witness with Saltwater Impairment

Police Officer in Charge of Court Defendant with Saltwater Impairment

Police Officer in Charge of Court Witness with Brackish Impairment

Police Officer in Charge of Court Defendant with Brackish Impairment

Police Officer in Charge of Court Witness with Estuarine Impairment

Police Officer in Charge of Court Defendant with Estuarine Impairment

Police Officer in Charge of Court Witness with Riparian Impairment

Police Officer in Charge of Court Defendant with Riparian Impairment

Police Officer in Charge of Court Witness with Littoral Impairment

Police Officer in Charge of Court Defendant with Littoral Impairment

Police Officer in Charge of Court Witness with Benthic Impairment

Police Officer in Charge of Court Defendant with Benthic Impairment

Police Officer in Charge of Court Witness with Pelagic Impairment

Police Officer in Charge of Court Defendant with Pelagic Impairment

Police Officer in Charge of Court Witness with Abyssal Impairment

Police Officer in Charge of Court Defendant with Abyssal Impairment

Police Officer in Charge of Court Witness with Hadal Impairment

Police Officer in Charge of Court Defendant with Hadal Impairment

Police Officer in Charge of Court Witness with Bathyal Impairment

Police Officer in Charge of Court Defendant with Bathyal Impairment

Police Officer in Charge of Court Witness with Neritic Impairment

Police Officer in Charge of Court Defendant with Neritic Impairment

Police Officer in Charge of Court Witness with Oceanic Impairment

Police Officer in Charge of Court Defendant with Oceanic Impairment

Police Officer in Charge of Court Witness with Epipelagic Impairment

Police Officer in Charge of Court Defendant with Epipelagic Impairment

Police Officer in Charge of Court Witness with Mesopelagic Impairment

Police Officer in Charge of Court Defendant with Mesopelagic Impairment

Police Officer in Charge of Court Witness with Bathypelagic Impairment

Police Officer in Charge of Court Defendant with Bathypelagic Impairment

Police Officer in Charge of Court Witness with Abyssopelagic Impairment

Police Officer in Charge of Court Defendant with Abyssopelagic Impairment

Police Officer in Charge of Court Witness with Hadopelagic Impairment

Police Officer in Charge of Court Defendant with Hadopelagic Impairment

Police Officer in Charge of Court Witness with Demersal Impairment

Police Officer in Charge of Court Defendant with Demersal Impairment

Police Officer in Charge of Court Witness with Benthopelagic Impairment

Police Officer in Charge of Court Defendant with Benthopelagic Impairment

Police Officer in Charge of Court Witness with Pelagic Impairment

Police Officer in Charge of Court Defendant with Pelagic

herein. the sum of nine dollars costs of this Court.

No 508 } Petition Habeas Corpus Mandamus
Writ Injunction & Habeas
Corpus

vs

In } Petition for Writ of
Habeas Corpus.

Now on this day this petition presented and the Court having heard and considered the same and the Court having heard the prayer contained in the petition and it appearing that the petitioner is entitled to the writ prayed for it is ordered that the writ of habeas corpus issue as prayed for in said petition and that the writ be made returnable forthwith and that the petitioner be brought before the Court forthwith to be dealt with according to law. The petitioner then and there presented to the Court his petition for a writ of habeas corpus and showed to the Court that he is restrained of his liberty by the Sheriff of Pinellas County, Florida, and William L. George and James B. George their sureties on appeal bond, their costs in this Court taxed at Thirty one and 50/100 ($31.50) Dollars, and their costs in the Court below, taxed at

(Jan 30, 97
522

Clerk's Entry
of
Notice of
Appeal

This cause coming on to be heard upon the motion of the Defendant and the Court having duly considered the same and it appearing that due notice of said motion has been given to the Plaintiff and his Attorney of record and it appearing that the Plaintiff has failed to file any answer to said motion and the Court being fully advised in the premises it is therefore considered by the Court that the motion of the Defendant be and the same is hereby sustained and that the Plaintiff's cause of action be and the same is hereby dismissed at the Plaintiff's costs and it is further considered by the Court that the Defendant have and recover of and from the Plaintiff Mary E. Lake and W. H. Lake and Thos Burke the sureties on the appeal bond herein the sum of fifty six and 30/100 Dollars appellee's costs in the lower Court and his costs in this Court taxed at Seventy three Dollars and have execution therefor.

Jan 15 97

Plaintiff's Notice of Appeal
to
Supreme Court

This cause coming on to be heard upon the motion of the Defendant for dismissal of Plaintiff's appeal herein and it appearing to the Court that due notice of said motion has been given to the Plaintiff and his Attorney of record and it appearing that the Plaintiff has failed to file any answer to said motion and the Court being fully advised in the premises it is therefore considered by the Court that the motion of the Defendant be and the same is hereby sustained and that the Plaintiff's cause of action be and the same is hereby dismissed at the Plaintiff's costs and it is further considered by the Court that the Defendant have and recover of and from the Plaintiff Mary E. Lake and W. H. Lake and Thos Burke the sureties on the appeal bond herein the sum of fifty six and 30/100 Dollars appellee's costs in the lower Court and his costs in this Court taxed at Seventy three Dollars and have execution therefor.

Plevin } Formation
Appellant
vs
Town Co operative Milk
Institution
Appellee

This Cause coming on to be heard upon the Record and Briefs of the Parties hereto

Plevin } Town Clerk
Appellant
vs
Town Institution
Appellee

This Cause coming on to be heard upon the Record and Briefs of the Parties ~~and Counsel~~ ~~in open Court~~ ~~upon Motion duly made~~ and Counsel thereof in the Coming in of the Briefs to be filed herein

Plevin } Town Milk
Appellant
vs
Town Institution
Appellee

This Cause coming on to be heard upon the Record and Briefs of the Parties and Counsel thereof in this Court

Jan 30 1911

495

In the Matter of the Mutual Life Insurance Company of New York a Corporation

Appellant

vs

Edward Ashley, Administrator of the Estate of Alexander Hayden deceased

Respondent

Having been heretofore submitted and the Court having taken the same under consideration and the Court being duly convinced that there was error committed in the premises. It is ordered that the judgment appealed from be and the same is hereby reversed with costs and the Court below is hereby directed to enter judgment for Appellant herein. In which The Mutual Life Insurance Company of New York a Corporation, the Appellant in the Court below was plaintiff and respondent herein, recover against the Appellee herein its costs incurred in this Cause in the Court below in the sum of [illegible] Dollars together with its costs in this Court taxed at $415.50 and have execution therefor.

Jan 3/94

No 117, "Victoria" Pitkin
Appellant
vs
The Country of Klamath
Respondent

It is ordered that this cause be dismissed

No 413 "O. & C. Thomas
Appellant
vs
Mt. Pine et al
Appellees

Come now the Appellees in the above entitled cause by their Attorney and suggest to the Court that they have been served with the Clerk thereof in duly certified copy of the order of the Supreme Court of the United States dismissing the writ of Error from the said to that Court. Whereupon it is ordered by the Court that the Clerk draw forthwith writ to the Clerk of the Circuit Court of the second Judicial District of the State of Oregon in and for the County of Grant a duly certified copy of the order and judgment of this Court, heretofore made and entered in the cause on the 16th day of January 1894 together with a certified transcript of the record of proceedings in this Court and in said Circuit Court of the United States and the Appellees have expectation thereof

At which time Came by the Court
the Sheriff (R.D.)

Dec 30th

In the Supreme Court. Present Chief Justice Sir Robert Stout Chief Justice Williams Justice Edwards Justice Cooper Justice Chapman Justice Ostler and the Clerk.

The following decision was delivered

No 70 / Canterbury Registry

Railway Company
Appellant

v.

Joseph Hanley
Respondent

} Appeal against decision of Supreme Court

The Case having been heard before this Court and the Case having been considered, and this Court having fully considered the Same and being fully advised on the premises. It is ordered that the judgment of the Supreme Court herein be and the same is hereby confirmed with Costs and it is further ordered and decreed that the Appellants herein do pay and cause to be paid to the Respondent herein and R.H. Bannister and J.L. Fisher the Sureties on the appeal bond herein the sum of Seven thousand and five hundred Dollars and the further sum of One hundred and eighty five and 25/100 Dollars appellees costs in the Lower Court incurred in this Cause and his costs in this Court taxed Seventy Nine dollars. and Have Execution Therefor.

Jan 30/91

Nov 18 [illegible]
[illegible]
[illegible]
[

Ala Bolg
Nortor

[illegible]

In this case the
[illegible] to open and argued by the
[illegible] and a. [illegible]
[illegible] and [illegible]
[illegible]

[illegible] Tuesday February 20th 1917
A C Bates Architect
[illegible]

Supreme Court
Territory of Arizona

January Term 1897
Phoenix. Tuesday February 23rd 1897

The Court opened at 10 O'clock A.M.
Present the Hon A.O. Baker Chief Justice.
" " O.F. Rouse Associate "
" " J.H. Hawkins " "
" " J.P. Bethune " "
J.F.B. Alexander Clerk
Jno. B. Pratt Marier
Frank McCluskey and Pat. Prune Bailiffs.

The following business was transacted.

No 507 The Atlantic and Pacific R.R. Co.
Defendant and
The Mercantile Trust Company and
United States Trust Company
Appellants
vs
The Deseret Cattle Company
Intervenor and Appellee

On motion of Mr. J.F. Wilson attorney for appellee he was granted leave to file an additional motion to affirm and on motion of Mr. D.R. Herndon attorney for appellants he was given permission to file a reply to said motion in the cause.

Oct 23 47

On motion of Mr L.W. Wright, It is ordered that Mr Harry P. Lousiday who hold a license from the Supreme Court of the State of California be admitted to practice in this Court upon his taking the usual oath and signing the roll of attorneys.

On motion of Mr Webster Street, It is ordered that Mr Hiram L. Griesdale who hold a license from the Supreme Court of Minnesota be admitted to practice in this Court upon his taking the usual oath and signing the roll of attorneys.

On motion of Mr Westwell It is ordered that Mr Lee K. Wilkinson who holds a license from the Supreme Court of Oregon be admitted to practice in this Court upon his taking the usual oath and signing the roll of attorneys.

No 445 The Mutual Life Insurance Co. of New York a corporation
Appellant
vs
Edward Arhelger Administrator of the Estate of Alexander Brayton deceased
Appellee

Mr J.B. Curly Attorney for appellant, in open Court waived the time allowed him by Statute to answer, appellees Motions for Rehearing and to tax costs herein filed and moved the Court that said motions be now Submitted. Mr E.J. Edwards for appellee opposed the Submission of said Motions and moved the Court for a hearing thereon. Whereupon the Court Ordered that said Motions be set for hearing on [illegible]

Jany. 23/97

No. 501. The Santa Fe, Prescott and Phoenix R.R. Co
Appellant
vs
Joseph Stanley.
Appellee

On motion of Mr. F. St. Sellaines for appellant. Appellee counsel in open Court consenting It is ordered that the motion for Rehearing filed by appellant herein be submitted.

No 116 Augustin Bacon
Appellant
vs
The Territory of Arizona
Respondent

Decision announced by Bean C.J.

This cause having heretofore been argued by Counsel for appellant and Respondent respectively and Submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed.

No 117 Nicholas Mitheas
Appellee
vs
The Territory of Arizona
Appellant

Decision announced by Bean C.J.

This cause having been heretofore submitted and the Court having taken the same under Consideration and the Court having fully considered the same and being fully advised in the premises. It is Ordered that the judgment of the lower Court herein be

Jan. 23/97

No. 119 John A. Jones. | Decision announced by Baker C.J.
Appellant
vs
The Territory of Arizona | Rouse & G. Present.
Respondent

This cause having been heretofore argued by respective counsel for appellant and Respondent and submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court therein be and the same is hereby Affirmed.

No 273 The Bank of Arizona | Decision announced by Baker C.J.
Appellant | Rouse & G. Present.
vs
William Larkin
Appellee

This cause having been heretofore submitted and the Court having taken the same under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed with costs and a judgment that the appellees herein recover against the appellants herein and the sureties on the appeal bond herein in the sum of six hundred and thirty three and 3/100 dollars with interest thereon at the rate of seven per cent per annum from the 23rd day of January A.D. until paid and the further sum of Forty dollars with attorneys fees on the lower Court rendered in the cause and that execution issue

520

Feby 23/97

No 534

Frank Lehman
Appellant
vs
Lew Hillard
Appellee

Decision announced by Baker C.J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed. and it is further ordered and adjudged that appellee herein recover against the appellant herein and Joseph Dougherty and G.H. Schneman the sureties on the appeal bond herein the sum of Seven hundred and sixteen and 05/100 Dollars. appellees costs in the lower Court this Court and this cost in this Court taxed at $78.00. and have execution therefor.

No 535

Widman-Peters Goldman Co. ind
A.J. Peters
Appellants
vs
Susan Shannon
Appellee

Decision announced by Baker C.J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein recover of and from the appellants herein and E.D. Zimmerman and Wolf Davis. the Sureties on the appeal bond herein the sum of One thousand and eighty four and 06/100 Dollars with interest thereon at the rate of one and one half per cent per month from January 6th 1896 until paid, the sum of One hundred and eighty and 50/100 Dollars. with interest thereon at the rate of seven per cent per annum from January 6th 1896 together with the sum of Fifteen and 60/100 dollars appellees costs in the lower Court and this cost in this

Febry 23/97

№ 536 The Arizona Northern Mining Co.
Plaintiff in Error
vs
Ed. Cain
Defendant in Error

Decision announced by Baker C.J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the Defendant in Error herein recover against the Plaintiff in Error herein and O.F. Kinnear and Thos Baker the sureties on the appeal bond herein his costs in this Court taxed at Twenty six Dollars.

№ 537 Wes Smith
Appellant
vs
W.P. Jefferson
Appellee

Decision announced by Baker C.J.
Hawkins J.J. Dissenting.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby reversed and remanded for new trial and it is further ordered and adjudged that Appellant recover against Appellee herein his costs in this Court taxed at Twenty six Dollars.

Jany. 23/97
No 538

D. J. Boke
Appellant
vs
The Territory of Arizona
at the relation of the Attorney General
Appellee

Decision announced by Bake C.J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed

No 539 Henrietta Mining and Milling Co
Plaintiff in Error
vs
James J. Gardner
Defendant in Error

Decision announced by Bake C.J.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the Court herein be and the same is hereby affirmed.

And it is further ordered and adjudged that the Defendant in Error herein recover against the Plaintiff in Error herein, and the American Surety Company of New York, Corporation, the sum of Twelve thousand three hundred and thirty two and 50/100 Dollars with interest thereon at the rate of seven per cent per annum from the 3rd day of April 1895 until paid and the sum of Twenty three 95/100 Dollars Defendants in Error costs in the lower Court and his costs in this Court taxed at Twenty two and 50/100 Dollars. and it is

Febry 23/97

No 543 J. H. Thompson
Appellant
vs
Frank Dyer Treasurer, ex officio Tax Collector
Graham County -
Appellee

Decision announced by Baker C. J.
Hawkins Dissents -

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court be and the same is hereby affirmed -

No 546 James E. Miller et al
Petitioners
vs
B. J. Franklin et al
Corporation Commission of Arizona
Defendants

Decision announced by Baker C. J.

This Cause having been heretofore argued by respective Counsel for Petitioners and Defendants and submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the Petition for a writ of Mandamus herein filed be and the same is hereby [illegible] and the Defendants thereof [illegible] the Petitioners [illegible]
this Court [illegible]

524

Appeal
No 514

Appellant
Arthur Dysart
v
The County Of Strathcona
Respondent

Reisin announced by Hawkins J.A.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed.

No 515

Appellant
Arthur Marshall
v
The G. T. Burns
Respondent

Reisin announced by Hawkins J.A.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that Appellant herein recover against the respondent herein and J.W. Walker and Nick MacIntyre the sureties on the appeal bond herein his costs in the Lower Court in this cause taxed at $53.50 and his costs in this Court taxed at $19.50 and from execution thereof.

Feby 23/97

No 550 A. Brown

Plaintiff in Error

vs

D. F. McMillan

Defendant in Error

Writ of error dismissed by Baker J. J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed.

No 551. J. F. Meador

Appellant

vs

Reno. Co. operative Mercantile and Manufacturing Institution. a corporation

Appellee

Writ of error dismissed by stipulation.

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed.

Jany 23/97
No 554

J.J. Pinney
Appellant
vs
Anna J. Pinney
Appellee

} Decision announced by Hawkins J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same. and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged and decreed that appellee herein recover of and from the appellant herein and M^rs Schuster and P.J. Cole the sureties on the undertaking herein the sum of Fifty two hundred and fifty Dollars. and her costs in this Court taxed at Thirty seven Dollars.

No 555

The Portia Mining Company
Plaintiff in Error
vs
George Whitaker
Defendant in Error

} Decision announced by Baker J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed. and it is further ordered and adjudged and decreed that Defendant in Error herein recover against the Plaintiff in Error herein and Thomas A. Burke and J.J. Davidson the Sureties on the Appeal bond herein the sum Forty one hundred dollars. Judgment and costs in the lower Court. and the further sum of Twenty nine Dollars his costs in this Court. and have execution therefor

Feby 23/97
No 553

James E. King
Appellant
vs
A.S. Keough
Appellee

On motion of Mr J.B. Stewart attorney for appellant. It is ordered that the hearing of this cause be reset for hearing on tomorrow morning.

It is Ordered that this Court stand adjourned until Tomorrow morning at 10 O'clock February 24th 1897

A C Bach Chief Justice
Associate

Supreme Court } January Term 1897
Territory of Arizona. } Phoenix Wednesday February 24th 97

The Court opened at 10 o'clock A.M.

Present His Honor A.O. Baker Chief Justice
" " J.H. Hawkins Associate "
" " C.D. Rouse " "
" " J.D. Bethune " "

A.F.B. Alexander Clerk
W.B. Pratt Sheriff
Frank Wheelwright and
R.H. Paine Bailiffs

The following Business was transacted -

No. 18 Henry Murphy and
Henry Bates
vs
The Territory of Arizona
Respondent.

Decision announced Ex Parte

This cause having been heretofore submitted to the Court upon motion to dismiss and the Court having fully considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and it is hereby affirmed.

January 97
No. 115

John Rogers
Appellant
vs
The Territory of Arizona
Respondent

Opinion announced by Hawkins J.

This cause having been heretofore submitted and on the Court taken under consideration and the Court having fully considered the same and being fully advised in the premises - It is Ordered that the Judgment of the lower Court herein be and the same is hereby affirmed -

No. 120

Phillip Barkley
Appellant
vs
The United States of America
Respondent

Opinion announced by Hawkins J.

This cause having been heretofore submitted and on the Court taken under consideration and the Court having considered the same and being fully advised in the premises. Wherefore it is ordered that the Judgment of the lower Court in this cause be and the same is hereby affirmed.

Feby Nr 97
NY Nr 1.

John Rogers. John Stuyden
and Henry Jackson
Appellants
vs
The Territory of Arizona
Respondent

Decision announced by Hawkins J.

This Cause having been heard before submitted and by the Court taken under Consideration and the Court having Considered the same and being fully advised in the premises It is Ordered that the Judgement of the lower Court herein be and the same is hereby Affirmed.

NP 5x1

Rhoda B. Green et al.
and Rhoda B Green administratrix
and Guardian
Appellants
vs
E. T. Burns and E. B. Dolan.
Appellees

Decision announced by Hawkins J.
Bake for Appts

This Cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that the Judgement of the lower Court herein be and the same is hereby reversed and this cause remanded for new trial and it is further ordered and adjudged that appellants herein recover against the appellees herein their costs in this cause incurred in the lower Court. together with their Costs incurred in this Court in said Cause Except of Eighty nine and 60/100 Dollars and these executions

No 340 A. Cohn
Appellant
vs
A.B. Menan et als.
Appellees

On this cause. Mr W.H. Barnes for Appellant moved the Court for an allowance of an appeal to the Supreme Court of the United States and also that findings be made and filed by the Court in this Cause. Whereupon it is ordered by the Court that appellant herein be granted an appeal to the Supreme Court of the United States upon filing a cost bond in the sum of One thousand Dollars. as heretofore ordered. and that the motion of appellant for findings be Submitted.

On motion of Mr J.H. Herndon, Mr John W. Norton who holds a license to practice from the Supreme Court of Missouri was admitted to practice in this Court upon his taking the usual oath and signing the roll of attorneys.

On motion of Mr J.H. Herndon it is ordered that Mr E.D. Hodges who holds a license from the District Court of the 4th Judicial District of Missouri be admitted to practice in this Court upon his taking the usual oath and signing the Roll of Attorneys.

Jany 24/97
No 553.

James E. King
Appellant
vs
A.S. Keough
Appellee

Hawkins J.J. withdrew during the hearing.

This cause came on to be heard on this day and was argued by Mr O.L. Diamond for appellant. and Mr R.E. Morrison argued for appellee. The argument was ordered continued in this cause until 2 O'clock this afternoon.

The Court stood at recess until this afternoon at 2 O'clock.

2. O'Clock P.M.

The Court reconvened after recess.

Present Hon Thos H.E. Baker Chief Justice
O.J. Rowe Associate.
J.D. Bartine
J.F. Bowman Clerk.

The following business was transacted.

No 553 James E. King
Appellant.
vs
A.S. Keough
Appellee

The argument in this cause was resumed by Mr Morrison and Mr J.E. Wilson for appellee and ended by Mr Diamond for appellant. and order pulsa entered.

Febr 24/97
No 495.

The Mutual Life Insurance Co of New York a corporation
Appellant
vs
Edward Arbeiger Administrator of the Estate of Alexander Grayden deceased
Appellee

In this cause it is ordered that the hearing on appellees motions for rehearing and to retax costs filed herein be postponed until tomorrow morning at 10 o'clock.

It is ordered that the Court stand adjourned until tomorrow morning at 10 o'clock A.M. February 25th 1897.

A. E. Taylor Chief Justice.
Associate

Supreme Court } January Term 1897
Territory of Arizona } Phoenix. Thursday. February 25th 1897

The Court opened at 10 o'clock A.M.
Present.
His Honor A.C. Baker Chief Justice
" " O.T. Rouse Associate "
" " J.J. Hawkins " "
" " J.D. Bethune " "
J.P.B. Alexander Clerk
Jos. B. Pratt Sheriff
Frank McElwaine (Ind.)
R.H. Crane Bailiffs

The following business was transacted.

No 515 A.M. Kazanowski
Appellant
vs.
Joe Holland
Appellee

Decision announced by Rouse J. Hawkins & J. dissent.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is Ordered that the judgment of the lower Court herein be and the same is hereby Reversed and cause remanded for new trial. And it is further ordered that appellee herein be taxed and recover against the appellee Ninety dollars in the premises, in this cause incurred with the cost of this appeal.

No 561 Wm. Thurber - Appellant.
vs.
Martin Price - Appellee.

The motion of appellee herein for to affirm the judgment of the lower Court herein having been heretofore submitted and the Court having considered the same and being fully advised in the premises & it is ordered that the judgment of the lower Court be & the same is hereby affirmed and it is further ordered that appellee herein do have and recover against the appellant herein Ninety dollars in the premises, in this cause incurred with the cost of this appeal.

Jan 25 97

No 545 Noyes B. Allyn
Appellant
vs
Bertha Schultz et al
Appellees.

Decision announced by Hawkins J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises it is ordered that the judgment of the lower Court herein be and the same is hereby reversed. and cause remanded for new trial. and it is further ordered and adjudged that the appellant herein recover against the appellees herein his costs incurred in this cause in the lower Court, together with his costs in this Court herein incurred. Taxed at One hundred and seventy eight and 50/100 Dollars. And have execution therefor

No 549 Louis Mertens
Appellant
vs
Geo. W. Walker et al
Appellees.

Decision announced by Hawkins J.
Petition for rehearing

This cause having been submitted on petition for rehearing and the Court having considered the same and being fully advised in the premises it is ordered that the judgment heretofore rendered in this cause in the lower Court herein be and the same is hereby affirmed.

Jan 25/07
No. 530

Chas Blackburn et als
Appellants
vs
United States of America
Appellee

Appeal in summary by Rule 46.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that the judgment of this Court herein be and the same is hereby reversed and cause remanded for new trial.

No. 267 Jas. Austin et al
Appellants
vs
The State
Appellee

Dismissed by Appellants. Decision announced by Fuller C.J. Brewer J. Dissents as to judgment being rendered against Surety Brewer J.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises - It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein recover against the appellants herein and G.F. Fisher and J.B. Jones the sureties on the appeal bond herein the costs in this Court taxed at $150 and hereof execution.

Feby 25/47

№ 495 The Mutual Life Insurance Co.

Appellant

vs

Edward Arbelger Administrator etc

Appellee

The motions of appellee for Rehearing and to retax costs herein came on to be heard on this day and were argued by Mr E.J. Edwards for appellee and appellants attorney Mr J.B. Early not desiring to submit argument on his part the same were ordered submitted.

№ 510 James Miller et al

Petitioners

vs

B.F. Parkinson et als.

Respondents.

On this day Mr. Burns Moore on Petitioners motion in open court of the notice filed in this cause to the adverse party of the pendency herein and the motion of petitioners it was ordered by the Court that the writ of certiorari prayed for herein issue to the Supreme Court returnable [illegible] from the judgment of this Court, upon the Petitioners filing with the Clerk of this Court a bond in the sum of five hundred dollars conditioned [illegible]

[illegible]

A Chief Justice

Supreme Court | January Term 1897
Territory of Arizona | Phoenix: Friday February 26th 1897

The Court opened at 10 o'clock a.m.

Present His Honor. A.C. Baker Chief Justice
O.T. Rose Associate "
D.J. Hawkins " "
D.B. Bethune " "
G.F. Bleasdale Clerk
D.B. Pratt Sheriff
Francisco Iglesias
Manuel Salcedo | Bailiffs

The following business was transacted -

No - 540 Henrietta Winnigmattingleo
Plaintiff in Error
vs
Henry Johnson.
Defendant in Error

Decision announced by Baker C.J.
Rose J. dissenting.

This cause having been heretofore submitted and by the Court taken under consideration now on this day the Court having considered the same and being fully advised in the premises It is ordered that the judgment of the Lower Court herein be modified by striking out the lien upon the property therein described and as so modified it is and the same is in all other respects hereby affirmed and it is further ordered and adjudged that the Defendant in Error herein recover against the Plaintiff in Error herein and one A. Bayer, Henry B. Hazlewood and Wm. B. Burruel, Pedro Chavoulleau. and the American Surety Company of New York a corporation the sureties on the Supersedeas bond herein the sum of Five Hundred and forty eight and 57/100 Dollars with interest thereon at the rate of seven per cent per annum from the 22nd day of May 1895 until paid and the sum of Eighty and 60/100 Dollars Defendant in Error cost in the lower Court and his costs in this Court taxed at Thirty three and 80/100 Dollars and now execution therefor -

Jan 26/97

No 54 Henrietta Mining and Milling Co.
Plaintiff in Error
vs
Samuel Hill
Defendant in Error

Decision announced by Baker C.J.
Rose J.A. dissents.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises Dr is ordered that the judgment of the lower Court herein be modified in so far as it is sought to be made a material mans lien upon the property described therein and as so modified is in all other respects hereby affirmed

And it is further ordered and adjudged that Defendant in Error recover against the Plaintiff in Error herein, and the American Surety Company of New York a corporation, the surety in the supersedeas bond herein, the sum of Two Thousand and eight and 65/100 Dollars with interest thereon at the rate of seven per cent per annum from the 5th day of May 1894 until Paid and the sum of forty four and 70/100 Dollars Defendants in Error costs in the lower Court and his costs in this Court taxed at $34.70

No 54 W. J. Nugent Superintendent of Territorial Prisons
Appellant
vs
The State of Wyoming ex rel Hawkins
Appellee

Decision announced by Chancellor
Rose J.A. dissents.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby affirmed and it is further ordered and adjudged that the appellee herein recover against the appellant herein and bonds men and Sam Steffle the sureties on the appeal bond herein the costs incurred in this Court taxed at $24.50 Twenty eight and 50/100 Dollars.

Jany. 26/97
No 519.

The United States of America
Appellant
vs
Wm. Dawes et als.
Appellees.

This cause having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that the judgment of the lower Court herein be and the same is hereby reversed. and cause remanded for new trial.

No 555 The Old Dominion Commercial Co.
Appellant
vs
The United States mines
Appellees

The motion of Appellee herein to affirm of the judgment of the lower Court herein having been heretofore submitted. and the Court having considered the same and being fully advised in the premises. It is ordered that said motion be denied.

Mr. Victor Whitlock, in person, now appears to practice in the Court upon his swearing the usual oath and signing the roll of attorneys.

Styles Notary
No. 557 W.B. Skelton.
Plaintiff in Error
vs
Colin Cameron
Defendant in Error

The Motion of Defendant in Error herein to dismiss the Petition in Error herein having been heretofore submitted and the Court having considered the same and being fully advised in the premises. It is ordered that said Motion be sustained and the writ of Error herein be dismissed with costs. And it is further ordered and adjudged that Defendant in Error herein recover against the Plaintiff in Error herein his costs herein in this Court taxed at $13.50 and have execution therefor

No. 563 A. Goodman Defendant and
R.C. Dagg Intervenor and
Appellant
vs
B.N. Freeman et als.
Appellees

The Motion to affirm filed by appellees herein having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises It is ordered that said motion be sustained and the judgment of the lower Court herein be and the same is hereby affirmed and it is ordered and adjudged that the appellees herein recover against the appellant herein and Wm M. Bleeks, The London Company, W.E. Ayers, A.J. Pegg, the sureties on the appeal bond herein the sum of Seven hundred and fifty two Dollars and appellees costs in the Lower Court in the sum of Eighty two Dollars and their costs in this Court taxed at [illegible]
Dollars [illegible]

Feby. 26/97
No. 564.

D. Goodman defendant and
R.E. Dagg Intervenor and
Appellant.
vs
B.N. Freeman et als
Appellees

The motion of appellees to affirm filed herein having been heretofore submitted and by the Court taken under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that said motion be sustained and the judgment of the lower Court herein be and the same is hereby affirmed, and it is further ordered and adjudged that appellees herein recover against the appellants herein and W.M. Phillips, the Intervenor in the suit of R.E. Dagg the sum of Sixty Nine and 15/100 Dollars on the appeal bond herein being the amount of the judgment of this Court and the sum of Fifty Three and 15/100 Dollars on the appeal bond herein being the amount of the judgment of the lower Court in favor of the said R.E. Dagg and against the said D. Goodman and B.N. Freeman and their sureties on their appeal bond herein.

No. 565 W.M. Phillips
Appellant
vs
La St. Bruy
Appellee

The motion of appellee to affirm filed herein having been heretofore submitted and the Court having taken the same under consideration and the Court having considered the same and being fully advised in the premises. It is ordered that said motion be sustained and the judgment of the lower Court in this cause be and the same is hereby affirmed, and it is further ordered and adjudged that the appellee herein recover against the appellant herein and R.E. Dagg and B.N. Freeman the sum on the appeal bond herein the sum of Sixty Nine and 15/100 Dollars appellee costs in the lower Court in favor of the said Court and the sum of Fifty Three and 15/100 Dollars appellee costs in this Court [illegible]

Jan 26/97

No. 501. The Santa Fe - Prescott and Phoenix Railway Co
Appellant
vs
Joseph Hurley
Appellee
Baker C.J. Pleasants

The motion for Rehearing filed by appellant herein having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same and being advised in the premises It is ordered that said motion be and the same is hereby denied.

No 502 Diegle Bedner
Appellant
vs
Miller Scott
Appellee

In this cause Mr. E.B. Norris attorney for appellant herein in open Court gave notice of appeal in this cause to the Supreme Court of the United States and prayed the Court for an allowance of such appeal. Whereupon it was ordered by the Court that appellant herein be allowed an appeal to the Supreme Court of the United States from the judgment of this Court herein upon appellant executing and filing with the clerk of this Court a bond in the sum of One thousand Dollars.
(approved according to law)

It is ordered that the Court stand adjourned until Monday Morning at 10 O'clock March 10th 1897.

C J Baker Chief Justice

Supreme Court } January Term, 1897.
Territory of Arizona } Phoenix, Tuesday, March 16th 1897

The Court opened at 10 o'clock A.M.

Present, His Hon. A. C. Baker, Chief Justice
" " O. T. Rouse Associate Justice
" " J. D. Bethune " "
" " J. J. Hawkins " "

J. L. B. Alexander, Clerk
Jos B. Pratt Crier
Frank McClintock } Bailiffs
R. Ho. Drane }

The following business was transacted

No 571 Maggie Leston and James Leston
Appellants
vs.
Horace E. Man
Appellee.

In this cause Mr. W. H. Barnes moved the Court that he have leave to file motion to affirm herein and cause be placed upon the Calendar, whereupon it was ordered that the motion be granted and motion be submitted

No. 113 Wm Schultz and Paul Loske
Appellants
vs.
The Territory of Arizona
Respondent

Mr. W. H. Barnes in open Court moved the Court for an order ordering the discharge of the appellants herein, which motion the Court took under consideration

Mar. 16/97

No. 553 James E. Wing
appellant
vs.
A. S. Clough
appellee

This cause having been heretofore submitted and by the court taken under consideration and the court having considered the same and being fully advised in the premises. It is ordered that judgment of the lower court herein be and the same is hereby modified by allowing the appellee herein the exclusive use of all the water in said judgment mentioned during the first five days of every week and the appellant herein the exclusive use of all said water during the last two days of every week, and as so modified said judgment of the lower court be and the same is hereby affirmed; and it is further ordered and adjudged that the appellee herein recover against the appellant herein and James D. Gardner and Edwin B. Payne the sureties on the appeal bond herein the sum of one hundred and twelve and 95/100 Dollars being appellees costs in the lower court, and his costs in this court taxed at $27.00

No. 119 John D. Jones
Appellant
vs.
The Territory of Arizona
Respondent

In this cause it is ordered that the motion of appellant for rehearing filed herein be and the same is

March 16/97

No. 121 John Rodgers, John Hayden and Henry Jackson
Appellants
vs.
The Territory of Arizona
Respondent

In this cause it is ordered that the motion of appellants for rehearing filed herein be submitted.

No. 495 The Mutual Life Insurance Company of New York, a Corporation
Appellant
vs.
Edward Arhelger, Administrator of the Estate of Alexander Grayson, Deceased
Appellee.

In this cause it is ordered that appellee's motion for rehearing filed herein and heretofore submitted be and the same is hereby denied.

No. 504 George H. Fitts
Appellant
vs.
The Mayor and Common Council of the City of Tombstone, Territory of Arizona
Appellee

In this Cause it is ordered that appellant's motion for rehearing filed herein on the 19th day of January 1897, be and the same is hereby denied; and it is further ordered that appellee herein recover against the appellant herein, and B. Battich and C. A. Overlock the sureties on the appeal bond herein, ten per cent damages on the amount of the judgment rendered by the lower Court for appellee in this Cause, and that appellee have execution therefor

March 16/97

No. 115 John Rodgers
Appellant
vs.
The Territory of Arizona
Respondent

In this cause it is ordered the motion of appellant for rehearing herein filed be submitted.

No. 523 The Bank of Arizona
Appellant
vs.
Wm Larkin
Appellee

In this cause it is ordered that the motion for rehearing of appellant filed herein be passed until tomorrow morning.

No. 534 Frank Lohman
Appellant
vs.
Lew Hilliard
Appellee.

In this cause it is ordered that the motion for rehearing of appellant filed herein be submitted.

March 16/97

No. 539 Henrietta Mining and Milling Co.,
Plaintiff in Error
vs.
James I Gardner,
Defendant in Error

In this cause it is ordered that Plaintiff's in Error motion for rehearing filed herein be submitted.

No. 540 Henrietta Mining and Milling Co.,
Plaintiff in Error
vs.
Henry Johnson
Defendant in Error.

In this cause on motion of Plaintiff in Error Defendant in Error consenting, it is ordered that the motion for rehearing filed herein be set for hearing on tomorrow morning

No. 541 Rhoda P. Green et als and
Rhoda P. Green, Administratrix
and Guardian
Appellants
vs.
E. D. Tuttle and I. E. Solomon
Appellees

In this cause it is ordered that the motion for rehearing of appellants filed herein be submitted

March 16/97

No. 542 M. J. Nugent Superintendent of the Territorial Prison
Appellant
vs.
The State of Arizona Improvement Co.
Appellee

In this cause it is ordered that the motion for rehearing of appellant filed herein be submitted.

No. 543 J. N. Dawson
Appellant
vs.
Frank Dysart, Treasurer & Ex-Officio Tax Collector of Graham Co.
Appellee.

In this cause it is ordered that the motion for rehearing of appellant filed herein be submitted.

No. 544 Harrietta Mining and Milling Co.
Plaintiff in Error
vs.
Samuel Hill
Defendant in Error.

In this cause on motion of Mr. R. K. Ling for Defendant in Error it is ordered that he be granted until 2 o'clock this afternoon to amend his motion for rehearing filed herein, and that the motions for rehearing in this cause be passed until tomorrow morning.

March 16/97.
No. 548 Norton Marshall
Appellant
vs.
Peter T. Burtis
Appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be submitted.

No. 551 J. F. Meador
Appellant
vs.
Zenos Co-Operative Mercantile and Manufacturing Institution
Appellee

In this cause it is ordered that the motion for rehearing of appellant filed herein be submitted.

No. 552 James T. Simms
Appellant
vs.
Hanna T. Simms
Appellee

In this cause W. H. Barnes for appellee in open Court moved the Court to strike out appellants motion for rehearing because the same was not made in compliance with the statute in such cases provided, whereupon Mr. Pierce Evans for appellant in open Court moved the Court for leave to amend said motion, whereupon it was ordered by the Court that appellant have leave until 2 o'clock this afternoon to amend his said motion for rehearing and that said motion be then submitted

March 16/97

No. 562 The Atlantic and Pacific R.R. Co.
Defendant and
The Mercantile Trust Co., and
The United States Trust Co.
Appellants
vs.
The Defiance Battle Co. Intervenor
Appellee.

In this cause it is ordered that the motion to affirm filed herein by appellee be submitted

No. 563 L. Goodman
Defendant
and R. E. Daggs, Intervenor
Appellants
vs.
B. N. Freeman, F. L. Kimball
and J. H. Haskins Copartners
under the firm name of the
Arizona Central Bank
Appellees.

In this cause it is ordered that the motion for rehearing filed herein by appellants be submitted

No. 564 L. Goodman, Defendant,
and R. E. Daggs, Intervenor
Appellants
vs.
B. N. Freeman, F. L. Kimball and
J. H. Haskins copartners under
the firm name of
Arizona Central Bank
Appellees.

In this cause it is ordered that the motion for rehearing of appellants filed herein be submitted

March 16/97

No. 565 W. M. Billups
Appellant
vs.
L. H. Gray
Appellee

In this cause it is ordered that appellants motion for rehearing filed herein be submitted

No. 567 S. J. Austin et als
Appellants
vs.
Mrs Yates
Appellee

In this cause it is ordered that appellants motion for rehearing filed herein be submitted

It is ordered that this Court stand adjourned until tomorrow morning at 10 o'clock, Wednesday March 17th 1897

A. C. Baker Chief Justice
" Associate
" "
" "

Supreme Court, } January Term, 1897.
Territory of Arizona } Phoenix, Wednesday, March 17th 1897

The Court opened at 10 o'clock A.M.

Present, Hon. A. C. Baker, Chief Justice
" " O. J. Rouse, Associate "
" " J. J. Hawkins " "
" " J. D. Bethune " "
J. C. B. Alexander, Clerk
Jos M. Pratt Crier
Frank McClintock }
and R. H. Drane } Bailiffs

The following business was transacted:

No. 115 John Rodgers
Appellant
vs.
The Territory of Arizona
Respondent

In this cause it is ordered that the motion for rehearing filed by appellant herein be denied.

No. 119 John S. Jones
Appellant
vs.
The Territory of Arizona
Respondent

In this cause it is ordered that the motion for rehearing filed by appellant herein be denied

March 17. 1897

No. 121 John Rodgers, John Hayden and Henry Jackson
Appellants
vs.
The Territory of Arizona
Respondent.

In this cause it is ordered that the motion for rehearing filed herein by appellants be denied.

No. 523 The Bank of Arizona
Appellant
vs.
Wm Larkin
Appellee.

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

No. 534 Frank Lohman
Appellant
vs.
Leo Willard
Appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

Mar. 17/97

No. 539 Henrietta Mining and Milling Co.
Plaintiff in Error,
vs.
James I. Gardner
Defendant in Error.
} Rouse A. J. Dissents

In this cause it is ordered that the motion for rehearing filed herein by Plaintiff in Error be denied.

No. 541 Rhoda P. Green et al, and Rhoda P. Green administratrix and Guardian etc.
Appellants
vs.
E. D. Tuttle and I. E. Solomon
Appellees
} Rouse A. J. Dissents

In this cause it is ordered the motion for rehearing filed herein by appellants be denied

No. 542 M. J. Nugent, Superintendent of the Territorial Prison
Appellant
vs.
The State of Arizona Improvement Co.,
Appellee
} Rouse A. J. Dissents

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

March, 17/97

No. 543 J. H. Hampson
Appellant
vs.
Frank Dysart, Treasurer & Ex. Officio Tax Collector of Graham Co.,
Appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be granted.

No. 548 Alston Marshall
appellant
vs.
Peter J. Burtis
appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

No. 551 J. F. Meador
Appellant
vs.
Zeros Co-Op. Mer. & Min. Inst.
Appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied

Mar. 17/97

No. 552 James T. Simms
Appellant
vs.
Hanna T. Simms
Appellee
Rouse, A. J. Dissents

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

No. 563 L. Goodman, Defendant
and R. E. Daggs, Intervenor
Appellants
vs,
B. N. Freeman, F. L. Kimball
and J. H. Haskins, Copartners
under the firm name of
Arizona Central Bank
Appellees

In this cause Mr. A. J. Daggs for appellants herein in open court moved the court for permission to withdraw appellants petition for rehearing filed herein, whereupon it was ordered by the court that permission be granted for the withdrawal of said petition for rehearing, and that the application of appellant to file a transcript of the record in this cause be denied and that the judgment of the lower court herein stand affirmed and the Clerk is directed to issue a Remittitur herein forthwith

March 17/97

No. 564 L. Goodman, Defendant
and R. E. Daggs, Intervenor
Appellants

vs.

B. N. Freeman, F. L. Kimball
and J. H. Hoskins, Jr. Co-
partners under the firm
name of Arizona Central Bank
Appellees.

In this cause Mr. A. J. Daggs for appellants herein in open court moved the Court for permission to withdraw appellants petition for rehearing filed herein, whereupon it was ordered by the Court that permission be granted for the withdrawal of said petition for rehearing, and that the application of appellants to file a transcript of the record in this cause be denied, and that the judgment of the lower Court herein stand affirmed, and the Clerk is directed to issue a Remittitur herein forthwith

No. 565 W. M. Billups
Appellant

vs.

C. H. Gray
Appellee

In this cause Mr. A. J. Daggs for appellants herein in open Court moved the Court for permission to withdraw appellants petition for rehearing filed herein, whereupon it was ordered by the Court that permission be granted for the withdrawal of said petition for rehearing, and that the application of appellants to file a transcript of the record in this cause be denied, and that the judgment of the lower Court herein stand affirmed, and the Clerk is directed to issue a Remittitur herein forthwith

Mar. 17/97

No. 567 E. J. Austin et als
Appellants
vs.
Wm Yates
Appellee

In this cause it is ordered that the motion for rehearing filed herein by appellant be denied.

No. 518 Chas L. Douglass
Appellant
vs.
Ben Pace et al
Appellee

This cause having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same and being fully advised in the premises, It is ordered that the judgment of the lower Court herein be affirmed

Mar. 17/97

No. 551. Maggie Leston and James Leston
Appellants
vs.
Horace E. Mann,
Appellee.

This cause having been heretofore submitted upon appellee's motion to affirm the judgment of the lower court herein, and by the court taken under consideration, and the court having considered the same and being fully advised in the premises, it is ordered that said motion be sustained, and the judgment of the lower court be and the same is hereby affirmed.

It is further ordered and adjudged that the appellee recover against the appellants, Maggie Leston and James Leston and the sureties on their appeal bond herein, the sum of Two Hundred ($200.00) Dollars with appellee's cost by him in this behalf expended in this court, and his costs in this behalf expended as herein taxed and Ten Dollars.

No. 552 James T. Quinn
appellant
vs.
Hanna T. Quinn
appellee

Mr. Pierce Evans for appellant in open court moved the court for an allowance of an appeal to the United States Supreme court from the judgment of this court. It was ordered that the application be taken up at 2 o'clock this afternoon.

Mar. 1897

No. 539 Henrietta Mining and Milling Co.
Plaintiff in Error
vs.
James I Gardner
Defendant in Error

Mr. W. H. Barnes attorney for Plaintiff's in Error in open Court moved the Court for an allowance of an appeal to the United States Supreme Court and fix the appeal therein, Ordered that appeal be allowed and bond on appeal fixed at $1000.00

No. 540 Henrietta Mining and Milling Co.,
Plaintiff in Error
vs.
Henry Johnson
Defendant in Error

In this Cause Mr. W. H. Barnes attorney for Plaintiff in Error argued the motions for rehearing herein and Mr. Morrison for Defendant in Error, Motions ordered submitted.

No. 544 Henrietta Mining and Milling Co.
Plaintiff in Error
vs.
Samuel Hill
Defendant in Error

In this cause it is ordered that the motions for rehearing filed herein be submitted

562

March 17/97

No. 522 Siegle Beckner
appellant
vs.
Walter Scott
appellee

Mr. Norris for appellant in open Court, moved the Court to settle the findings submitted to it by appellant herein. Whereupon the matter was taken under Consideration by the Court

The Court stood at recess until this afternoon at 2. o'clock

Supreme Court } January Term, 1897
Territory of Arizona } Wednesday March 17th 1897
2 o'clock P. M.

The Court reconvened after recess
Present His Hon. A. C. Baker, Chief Justice
" O. T. Rouse Associate "
" J. J. Hawkins " "
" J. D. Bethune " "

J. L. B. Alexander Clerk

The following business was transacted

No. 540 Henrietta Mining and Milling Co.
Plaintiff in Error
vs.
Henry Johnson
Defendant in Error

In this cause it is ordered that the motion for rehearing herein filed by Plaintiff in Error be denied.

No. 544 Henrietta Mining and Milling Co.
Plaintiff in Error
vs.
Samuel Hill
Defendant in Error

In this cause it is ordered that the motion for rehearing filed herein by Plaintiff in Error and Defendant in Error be denied.

March 17/97

No 517 E. O. Stratton and J. M. Ochoa
Appellants
vs.
J. P. Wells
Appellee

This cause having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same, and being fully advised in the premises. It is ordered that the judgment of the lower Court be and the same is hereby affirmed

It is further ordered and adjudged that the Appellee herein recover of and from the Appellants E. O. Stratton and J. M. Ochoa, and J. M. Lile and Antone Thomas the sureties on the appeal bond, his costs in this Court taxed at Five (5.00) Dollars, and his costs in the court below taxed at Eighteen and 75/100 ($18.75) Dollars.

No. 439 County of Gila
Appellant
vs.
J. H. Thompson et al
Appellees

This cause having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same, and being fully advised in the premises. It is ordered the judgment of the lower Court herein be and the same is hereby reversed.

No. 120 Philip Lashley
Appellant
vs.
The United States
Respondent

In this cause it is ordered that the Remittur be issued forthwith.

No. 116 Augustin Chacon
appellant
vs.
Territory of Arizona
Respondent

In this cause it is ordered that the Remittitur be issued forthwith

No 113 Wm Schultz and Paul Loske
Appellants
vs.
The Territory of Arizona
Respondent

In this cause it is ordered that the motion of Appellants to be discharged from Custody be denied.

Mar. 17/97

No 542 M. J. Nugent, Superintendent of the Territorial Prison
Appellant
vs.
The State of Arizona Improvement Co.
Appellees

In this cause the attorney General in open Court gave notice of appeal from the judgment of this Court therein to the United States Supreme Court and moved the Court to fix the amount of the appeal bond, whereupon it was ordered that the cost bond on appeal be fixed in the sum of One Thousand Dollars

No. 540 Henrietta Mining and Milling Co.
Plaintiff in Error
vs.
Henry Johnson
Defendant in Error

In this cause Mr. W. H. Barnes for Plaintiff in Error in open Court gave notice of appeal from the judgment of this Court to the Supreme Court of the United States, and moved the Court that it fix the amount of the bond on appeal and that the Remittitur therein be stayed for sixty days; whereupon it was ordered by the Court that the amount of the cost bond on appeal in this cause be fixed in the sum of Two Thousand Dollars and that the remittitur herein be stayed for sixty days

Mar 8/97

No. 544 Henrietta Mining and Milling Co
Plaintiff in Error

vs.

Samuel Hill
Defendant in Error

In this cause Mr. W. H. Barnes for Plaintiff in Error in open Court moved the Court to stay the remittitur in this cause for sixty days, whereupon it was ordered that such stay be granted as prayed for

No. 539 Henrietta Mining & Milling Co.
Plaintiff in Error

vs.

James D. Gardner
Defendant in Error

In this cause Mr. W. H. Barnes for Plaintiff in Error moved the Court to stay the remittitur in this cause for sixty days, whereupon it was ordered that such stay be granted as prayed for.

No. 552 James T. Simms
Appellant

vs.

Hanna T. Simms
Appellee

In this cause it was ordered that the motion of appellant herein for an allowance of an appeal herein to the United States Supreme Court from the judgment of this Court herein be granted and such an appeal be allowed upon the appellant filing a Supersedeas bond herein in the sum of Twelve Thousand Dollars.

Mar 17/97

In the matter of the accounts of the Clerk of this Court for services for the quarters ending December 31st 1896, and March 30th 1897, presented for allowance the following order was made in open Court

Whereas, J. L. B. Alexander, Clerk of the Supreme Court of the Territory of Arizona has presented this Court an account for services rendered by him for attendance on the sessions of said Supreme Court as such Clerk and that the services in said account charged for have been actually and necessarily rendered and performed as therein stated, and it also appearing from the records of this Court that on the days hereinafter mentioned, to wit: October 1st and 2nd in the year 1896, and for which services are charged for in said account the Court was open for business and business was actually and necessarily transacted therein; and whereas said account appears to be just and according to law; It is hereby ordered that the said account amounting to the sum of twenty one and 2/100 Dollars be and the same is approved for said sum of $21.20

Done in open Court at Phoenix, the Capital of Arizona this 17th day of March 1897

A. O. Baker, Chief Justice
Jno. J. Hawkins Associate Justice
Owen T. Rouse Associate Justice
J. D. Bethune Associate J.

Whereas, J. L. B. Alexander, Clerk of the Supreme Court of the Territory of Arizona, has presented to this Court an account for services rendered by him for attendance on the sessions of said Supreme Court as such Clerk and that the services in said account charged for have been actually and necessarily rendered and performed as therein stated; and it also appearing from the records of this Court that on the days hereinafter mentioned to wit: January 11, 12, 13, 14, 15, 16, 17 20, 21, 22, 26, 27, 28, 29, 30, February 23, 24, 25, 26, March, 16, 17 in the year 1897, and for which services are charged in said account the Court was open for business and business was actually and necessarily transacted

March 17/97

therein, and whereas said account appears to be just and according to law, It is hereby ordered that the said account amounting to the sum of Two hundred and twenty two and 60/100 Dollars be and the same is approved for said sum of $222.60

Done in open Court this 17th day of March. A.D.1897, at Phoenix the Capital of Arizona

A. C. Baker, Chief Justice
Jno. J. Hawkins, Associate Justice
Owen T. Rouse. Associate Justice
J. D. Bethune. Associate Justice.

No 531 In the matter of the application of J. L. B. Alexander, administrator of the Estate of Henry N. Alexander deceased for a writ of Mandamus against B. J. Franklin Governor of the Territory of Arizona

This cause having been heretofore submitted and by the Court taken under consideration, and the Court having considered the same and being fully advised in the premises It is ordered that the application of J. L. B. Alexander, administrator of the Estate of Henry N. Alexander, deceased, for a writ of Mandamus against B. J. Franklin the Governor of the Territory of Arizona, be and is hereby granted, a writ be issued as prayed for in the petitioner's application therefor filed in this cause.

It is ordered that this Court stand adjourned sine die

A. C. Baker Chief Justice
Associate Justice

Order

Phoenix Arizona May 25th 1897

Supreme Court
Territory of Arizona

It is hereby ordered and directed that the Clerk of the Supreme Court of the Territory of Arizona execute and give a bond to the United States of America as Clerk of said Court with two or more good and sufficient sureties in the Sum of One thousand Dollars to be approved by the Judges of said Supreme Court, and when said bond is executed and approved as aforesaid the same shall be deposited with the Secretary of the Territory of Arizona

A. H. Doan Chief Justice
Jno. J. Hawkins Associate Justice
F. T. Bethune Associate Justice
Owen T. Rose Associate Justice.

Bond

Know all men by these presents that we Joseph F. B. Alexander as Principal and Chas Goldman and James A. Fleming as Sureties are held and firmly bound unto the United States of America in the Sum of One thousand Dollars for the Payment of which well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents.

Sealed with our Seals and dated this 25th day of May A.D. 1897

The condition of this obligation is such that whereas the said Joseph F. B. Alexander is the duly appointed and qualified Clerk of the Supreme Court of the Territory of Arizona and whereas by an Order made on the 25th day of May 1897 by the Chief Justice and Associate Justices of said Supreme Court said Joseph F. B. Alexander was ordered and directed to execute and give a bond to such Clerk to the United States of America in the Sum of One thousand Dollars with two or more good and sufficient sureties Now therefore if the said Joseph F. B. Alexander shall faithfully discharge the duties of the office of Clerk of the Supreme Court of the Territory of Arizona and shall obey the lawful orders and determinations of said Supreme Court

full force and virtue.

Joseph E. Alexander (Seal)
Charles Goldman (Seal)
James A. Fleming (Seal)

United States of America
Territory of Arizona
County of Maricopa
City of Phoenix } ss

Chas Goldman and James A. Fleming the sureties whose names are subscribed to the foregoing bond being first duly sworn on oath each for himself and not one for the other says that he is a resident and freeholder of and in the city of Phoenix in the county of Maricopa and territory of Arizona and is worth the sum of One thousand Dollars over and above all his just debts and liabilities in property situate in said city, County and Territory exclusive of property exempt from execution and forced sale.

Charles Goldman
James A. Fleming.

Subscribed and sworn to before me this 25th day of May A.D. 1897.

(Seal) R.E. Ewing.
Notary Public

My Commission expires February 19. 1900.

The within bond and sureties thereon are approved by us this 25th day of May A.D. 1897

A.C. Baker Chief Justice
Jno. J. Hawkins
F.T. Bethune
Owen T. Rouse

Associate Justices of the Supreme Court of Arizona.

Order

In the Supreme Court of the Territory of Arizona
In the matter of the }
Appointment of Clerk }

It is hereby ordered that Floyd Johnston Esq. be and he is hereby appointed clerk of the Supreme Court of the Territory of Arizona vice J.F.S. Alexander Esq resigned.
Dated this 27th day of September A.D. 1897.

Hiram Sc. Sweedale Chief Justice
Richard E. Sloan Asso. "
Geo R. Davis " "
Fletcher M. Doan " "

Endorsed.
Filed Sept. 30, 1897
J. Hasbrouck
Clerk.

Order

In the Supreme Court of the Territory of Arizona.

It is hereby ordered that the District Court in and for the Second Judicial District of the Territory of Arizona having and exercising the same jurisdiction in Cases arising under the constitution and laws of the United States as is vested in the Circuit and District Courts of the United States - Is hereafter held at Florence in the County of Pinal Territory of Arizona, and that the terms thereof, to be held beginning on the first Monday in April and the first Monday in October of each year.

Dated at Phoenix Ariz. this 4th day of October A.D. 1897.

H. C. Sweedale Chief Justice.
Geo. R. Davis Associate Justice.
Fletcher M. Doan Associate Justice.
Richard E. Sloan Associate Justice.

Know All Men By These Presents, that we, Lloyd Johnston, as principal, and William M. Griffith and James Finley and O.F. Schumacher as Sureties, acknowledge ourselves to owe and be indebted unto the Territory of Arizona in the Sum of Five Thousand Dollars, for the payment of which Sum, well and truly to be made, we do bind ourselves, jointly and Severally, firmly by these presents.
Dealed with our Seales and Dated this 28th day of September, 1897. Whereas: The above bounden Lloyd Johnston has been duly appointed Clerk of the Supreme Court of the Territory of Arizona, and is about to assume the duties of said office. Now Therefore the condition of the above obligation is such that if he, the said Lloyd Johnston, shall faithfully perform the duties of the said office, and shall pay all monies which shall come into his hands as such Clerk to the person, officer or body entitled by law to receive the same, then this obligation to be void, else to remain in full force and effect.

Lloyd Johnston (Seal)
William M. Griffith (Seal)
James Finley (Seal)
O.F. Schumacher (Seal)

Territory of Arizona } ss.
County of Pinal }

William M. Griffith, James Finley and O.F. Schumacher the Sureties above named, being by me first duly and severally Sworn, on their Several oaths do say: That they are worth the Sum of five thousand Dollars each and over all their just debts and liabilities, and have property that is subject to forced sale sufficient to pay said Penal Sum and the Sureties are the owners of Pinal and Territory of Arizona.

William M. Griffith
James Finley
O.F. Schumacher

Subscribed and sworn to before me this 28th day of September, 1897.

{Seal}

J. Hewett Martin
Notary Public, Pima Co Arizona
Commission expires July 16th 98

Territory of Arizona
County of Pima. } ss.

I Lloyd Johnston being by me first duly sworn on his oath says: I, Lloyd Johnston, do solemnly swear that I will support the Constitution of the United States and the Laws of the Territory of Arizona: that I will true faith and allegiance bear to the same; and defend them against all enemies whatsoever; and that I will faithfully and impartially discharge the duties of the office of Clerk of the Supreme Court of the Territory of Arizona according to the best of my ability. So help me God.

Lloyd Johnston.

Subscribed and sworn to before me this 28th day of September 1897

J. Hewett Martin
Notary Public, Pima County
My Commission expires July 16th 1898

The foregoing (2) Certificates of the foregoing bond approved by me this 1st day of October 1897

Sylvester Street — Chief Justice
Geo. R. Davis — Associate Justice
Richard E. Sloan — Associate Justice
Webster M. Doan — Associate Justice.

Know All Men By These Presents: That we, Lloyd Johnston, as principal and Joseph L. B. Alexander and George H. N. Parker as Sureties are held and firmly bound unto the United States of America in the sum of One Thousand Dollars for the payment of which well and truly to be made, we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our seals and dated this second day of October A.D. 1877.

The Condition of this obligation is such that whereas the said Lloyd Johnston is the duly appointed and qualified clerk of the Supreme Court of the Territory of Arizona, and whereas by an order made on the 27th day of September 1877, by the Chief Justice and Associated Justices of said Supreme Court, said clerk thereof was ordered and directed to execute and give a bond as such clerk to the United State of America in the sum of One Thousand Dollar with two or more good and sufficient sureties.

Now therefore, if the said Lloyd Johnston shall faithfully discharge the duties of the office of clerk of the Supreme Court of the Territory of Arizona and honorably record the decree, judgments and determinations of said Supreme Court then this bond shall be void otherwise to remain in full force and virtue.

Lloyd Johnston (Seal)
Joseph L. B. Alexander (Seal)
George H. N. Parker (Seal)

United States of America.
Territory of Arizona.
County of Maricopa. } ss.
City of Phoenix.

Joseph L. B. Alexander and George W. N. Lucas, the Sureties whose Names are subscribed to the foregoing Bond being first duly sworn on oath each for himself and not one for the other, say that he is a resident and freeholder of and in the City of Phoenix in the County of Maricopa and Territory of Arizona and in worth the Sum of One Thousand Dollars over and above all his debts and liabilities in property situated in said City, County and Territory, exclusive of property exempt from Execution and forced sale.

Joseph L. B. Alexander
George W. N. Lucas.

Subscribed and Sworn to before me this second day of October A.D. 1877

F. B. Devereux
Notary Public.

My Commission expires June 15th 1881

The within Bond and Sureties thereon are approved by this 15th day of November A.D. 1877

Webster Street Chief Justice of the Territory of Arizona.

William McKinley

President of the United States of America,

To all who shall see these Presents Greeting:

Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Webster Street of Arizona, I do appoint him Chief Justice of the Supreme Court of the Territory of Arizona and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Webster Street until the end of the next session of the Senate of the United States, and no longer, Subject to the conditions and provisions prescribed by Law.

In testimony Whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed. Given under my hand at the City of Washington this 4th day of November in the year of our Lord one thousand eight hundred and ninety-seven, and of the Independence of the United States the one hundred and twenty-second.

Seal

By the President: William McKinley

Joseph McKenna

Attorney General.

Oath of Office

United States of America,
Territory of Arizona. } ss

I, Webster Street, do solemnly swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of Chief Justice of the Supreme Court of the Territory of Arizona on which I am about to enter, - So help me God.

Webster Street

Subscribed and Sworn to before me this fifteenth day of November A.D. one thousand eight hundred and ninety seven.

C.H. Johnston.
Justice of the Peace.